



Santa Clara Valley Water District Board of Directors Meeting

Teleconference Zoom Meeting

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

Tuesday, October 12, 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.

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Santa Clara Valley Water District Board of Directors

***AMENDED/APPEDED AGENDA**

***ITEMS AMENDED AND/OR APPEDED SINCE THE ORIGINAL PUBLICATION OF THIS AGENDA
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Tuesday, October 12, 2021

11:00 AM

Teleconference Zoom Meeting

IMPORTANT NOTICES

This meeting is being held in accordance with the Brown Act as currently in effect and Santa Clara Valley Water District Resolution 21-85, adopted on September 28, 2021, in compliance with the provisions of AB361 (Rivas), that allows attendance by members of the Board of Directors, Board Committees, District staff, and the public to conduct and participate in meetings of the legislative bodies by teleconference, videoconference, or both.

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.

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.

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/83571086504>

Meeting ID: 835 7108 6504

Join by Phone:

1 (669) 900-9128, 83571086504#

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**

[21-1135](#)

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6(a)

Agency Designated Representatives: Rick Callender, J. Carlos Orellana, Brian Hopper, Tina Yoke, Edward Kreisberg, Ingrid Bella, Bryant Welch, Laura Harbert, Emily Meeks

Employee Organizations: Employees Association, Engineers Society, Professional Managers

***2.2. CLOSED SESSION**

[21-1136](#)

CONFERENCE WITH LEGAL COUNSEL INITIATION OF LITIGATION

Government Code Section 54956.9(d)(4)

One Potential Case

***2.3. CLOSED SESSION**

[21-1063](#)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

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

Titles: CEO, District Counsel and Clerk of the Board
(PREVIOUSLY LISTED AS ITEM 2.1)

1:00 PM

Rejoin Zoom Meeting:
<https://valleywater.zoom.us/j/83571086504>
Meeting ID: 835 7108 6504
Join by Phone:
1 (669) 900-9128, 83571086504#

*2.4. District Counsel Report on Closed Session. (PREVIOUSLY LISTED AS ITEM 2.2)

*2.5. Pledge of Allegiance/National Anthem. (PREVIOUSLY LISTED AS ITEM 2.3)

*2.6. Orders of the Day. (PREVIOUSLY LISTED AS ITEM 2.4)

A. *Approximate Discussion Time (Board); and*

B. *Adjustments to the Order of Agenda Items.*

*2.7. Time Open for Public Comment on any Item not on the Agenda.
(PREVIOUSLY LISTED AS ITEM 2.5)

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.

- *2.8. Resolution Establishing Policy Criteria for Public Trails on Santa Clara Valley Water District (Valley Water) Lands and Public Hearing to Amend the Water Resources Protection Manual to Include the Policy Criteria and Guidance for Public Trails on Valley Water Land, as Recommended by the Board Policy and Planning Committee during its January 25, 2021 meeting (PREVIOUSLY LISTED AS ITEM 2.6). [21-0756](#)

Recommendation:

- A. Consider the January 25, 2021 Board Policy and Planning Committee recommendation to approve the Policy Criteria and Guidance for Public Trails on Valley Water Lands;
- B. Adopt the Resolution ESTABLISHING POLICY CRITERIA FOR PUBLIC TRAILS ON VALLEY WATER LANDS;
- C. Open the Public Hearing to Consider Amendment of the Water Resources Protection Manual to Include the Policy Criteria and Guidance for Public Trails on Valley Water Land;
- D. Close the Public Hearing; and
- E. Adopt the Resolution AMENDING THE WATER RESOURCES PROTECTION MANUAL TO INCLUDE POLICY CRITERIA AND GUIDANCE FOR PUBLIC TRAILS ON VALLEY WATER LANDS.

Manager: Lisa Bankosh, 408-630-2618

Attachments: [*Attachment 1: Policy Criteria and Guidance](#)
[Attachment 2: Resolution, Policy Criteria](#)
[Attachment 3: Notice of Public Hearing](#)
[Attachment 4: Resolution, Amending WRPM](#)
[Attachment 5: PowerPoint](#)

Est. Staff Time: 20 Minutes

- *2.9. Receive Information on the Downtown San Jose West Mixed-Use Plan (Downtown Google Project) (PREVIOUSLY LISTED AS ITEM 2.7). [21-1019](#)

Recommendation: Receive information on opportunities and challenges related to the Downtown San Jose West Mixed-Use Plan (Downtown Google Project).

Manager: Sue Tippetts, 408-630-2253

Attachments: [Attachment 1: Project Map](#)
[*Handout 2.9-A: Google Staff PowerPoints](#)

Est. Staff Time: 15 Minutes

- *2.10 Monthly Drought Emergency Response and Water Supply Update
(PREVIOUSLY LISTED AS ITEM 2.8).

[21-1013](#)

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: October 2021 Water Tracker](#)

Est. Staff Time: 20 Minutes

3. CONSENT CALENDAR: (3.1 - *3.5) (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. Approve Federal Funding Requests for Federal Fiscal Years 2022 and 2023.

[21-0960](#)

Recommendation: Approve the recommended federal Fiscal Years (FYs) 2022 and 2023 appropriations requests for Valley Water-sponsored and Valley Water-supported projects.

Manager: Don Rocha, 408-630-2338

Attachments: [Attachment 1: FY22, FY23 Federal Funding Requests](#)

- 3.2. Adopt the Resolution Declaring October 23-30, 2021, as California Flood Preparedness Week in Santa Clara County. [21-0931](#)

Recommendation: Adopt the Resolution DECLARING THE WEEK OF OCTOBER 23-30, 2021, AS CALIFORNIA FLOOD PREPAREDNESS WEEK IN SANTA CLARA COUNTY.

Manager: Marta Lugo, 408-630-2237

Attachments: [Attachment 1: Resolution](#)

- 3.3. Approve the Nomination of Ms. Vaishali "Shali" Sirkay, by District 7 Vice Chair Gary Kremen, as Replacement to the District 7 Representative Seat on the Santa Clara Valley Water District 2021 Redistricting Advisory Committee. [21-1033](#)

Recommendation: Approve the nomination of Ms. Vaishali "Shali" Sirkay, by District 7 Vice Chair Gary Kremen, as a replacement to the District 7 Representative seat on the Santa Clara Valley Water District 2021 Redistricting Advisory Committee.

Manager: Don Rocha, 408-630-2338

Attachments: [Attachment 1: Nominee Qualifications](#)

- 3.4. Approval of Minutes. [21-1053](#)

Recommendation: Approve the minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 032521 Special CS Meeting Minutes](#)
[Attachment 2: 032621 Special Meeting and CS Minutes](#)
[Attachment 3: 062221 CS and Regular Meeting Minutes](#)
[Attachment 4: 070621 Special CS Meeting Minutes](#)

- *3.5. Accept the CEO Bulletin for the Weeks of September 24 - October 7, 2021. [21-1092](#)

Recommendation: Accept the CEO Bulletin.

Manager: Rick Callender, 408-630-2017

Attachments: [Attachment 1: 100721 CEO Bulletin](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

***4.1. Board Committee Reports.**

[21-1093](#)

Attachments: [*Handout 4.1-A: 092021 CIP Summary](#)
[*Handout 4.1-B: 092121 JRWAC \(Sunnyvale\) Summary](#)
[*Handout 4.1-C: 092721 WCDM Summary](#)
[*Handout 4.1-D: 092921 RAC Summary](#)
[*Handout 4.1-E: 100421 AWAC Summary](#)
[*Handout 4.1-F: 100521 RAC Summary](#)
[*Handout 4.1-G: 101321 RAC Agenda](#)
[*Handout 4.1-H: 101921 HEC Agenda](#)

4.2. Proposed Future Board Member Agenda Items.

5. WATER UTILITY ENTERPRISE:

5.1. Receive the Capital Improvement Program Committee's September 20, 2021 Request for Staff to Present to the Board the Recommendation to Proceed to the Request For Proposal Stage With a Single Proposer for the Coyote Pumping Plant Adjustable Speed Drive Replacement Project, Project No. 91234002, (Morgan Hill), (District 1).

[21-1057](#)

Recommendation:

- A. Receive an update on the Coyote Pumping Plant Adjustable Speed Drive Replacement Project Design-Build Request for Qualifications;
- B. Approve staff's recommendation to proceed with a single proposer, as supported by the Capital Improvement Program Committee during their September 20, 2021 meeting; and
- C. Provide direction to staff as necessary.

Manager: Heath McMahon, 408-630-3126

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 15 Minutes

6. WATERSHEDS:

7. ASSISTANT CHIEF EXECUTIVE OFFICER:

8. EXTERNAL AFFAIRS:

9. CHIEF EXECUTIVE OFFICER:

9.1. Fiscal Year 2020-21 Fourth Quarter Financial Status Update.

[21-1059](#)

Recommendation: Receive the Fiscal Year 2020-21 fourth quarter financial status update as of June 30, 2021.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 10 Minutes

*9.2. CEO and Chiefs' Report.

[21-1094](#)

Attachments: [*Handout 9.2-A: Watersheds O&M Report](#)

[*Handout 9.2-B: Office of Communications 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 4:00 p.m. Closed Session and 6:00 p.m. Regular Meeting on October 26, 2021, to be called to order in compliance with the Brown Act as currently in effect and Santa Clara Valley Water District Resolution 21-85, adopted on September 28, 2021, in compliance with the provisions of AB361 (Rivas).



Santa Clara Valley Water District

File No.: 21-1135

Agenda Date: 10/12/2021

Item No.: *2.1.

NON-EXHIBIT/CLOSED SESSION ITEM

SUBJECT:

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6(a)

Agency Designated Representatives: Rick Callender, J. Carlos Orellana, Brian Hopper, Tina Yoke, Edward Kreisberg, Ingrid Bella, Bryant Welch, Laura Harbert, Emily Meeks

Employee Organizations: Employees Association, Engineers Society, Professional Managers



Santa Clara Valley Water District

File No.: 21-1136

Agenda Date: 10/12/2021
Item No.:

NON-EXHIBIT/CLOSED SESSION ITEM

SUBJECT:

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL INITIATION OF LITIGATION

Government Code Section 54956.9(d)(4)

One Potential Case



Santa Clara Valley Water District

File No.: 21-1063

Agenda Date: 10/12/2021
Item No.: *2.3.

NON-EXHIBIT/CLOSED SESSION ITEM

SUBJECT:
CLOSED SESSION
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957(b)(1)
Titles: CEO, District Counsel and Clerk of the Board
(PREVIOUSLY LISTED AS ITEM 2.1)



Santa Clara Valley Water District

File No.: 21-0756

Agenda Date: 10/12/2021

Item No.: *2.8.

BOARD AGENDA MEMORANDUM

SUBJECT:

Resolution Establishing Policy Criteria for Public Trails on Santa Clara Valley Water District (Valley Water) Lands and Public Hearing to Amend the Water Resources Protection Manual to Include the Policy Criteria and Guidance for Public Trails on Valley Water Land, as Recommended by the Board Policy and Planning Committee during its January 25, 2021 meeting (PREVIOUSLY LISTED AS ITEM 2.6).

RECOMMENDATION:

- A. Consider the January 25, 2021 Board Policy and Planning Committee recommendation to approve the Policy Criteria and Guidance for Public Trails on Valley Water Lands;
- B. Adopt the Resolution ESTABLISHING POLICY CRITERIA FOR PUBLIC TRAILS ON VALLEY WATER LANDS;
- C. Open the Public Hearing to Consider Amendment of the Water Resources Protection Manual to Include the Policy Criteria and Guidance for Public Trails on Valley Water Land;
- D. Close the Public Hearing; and
- E. Adopt the Resolution AMENDING THE WATER RESOURCES PROTECTION MANUAL TO INCLUDE POLICY CRITERIA AND GUIDANCE FOR PUBLIC TRAILS ON VALLEY WATER LANDS.

SUMMARY:

Valley Water policy provides for public trail use of its lands through Joint Use Agreements with other agency partners. The Policy Criteria and Guidance for Public Trails on Valley Water Lands (Policy Criteria and Guidance; Attachment 1) were developed to ensure that new trail projects proposed by partner agencies protect water resources and streamside ecosystems, while supporting healthy communities and engaging residents to promote water resources stewardship. The Policy Criteria include Planning and Public Outreach, Flood Protection, Valley Water Operations, Habitat Protection, Trail Maintenance and Security, Water Quality, Channel Stability, and Regulatory Compliance.

The Policy Criteria are standards by which Valley Water staff and the Board of Directors may objectively evaluate the compatibility of proposed trails projects with Valley Water's water supply, flood protection, and environmental stewardship objectives.

A proposed Resolution to adopt the Policy Criteria is provided (Attachment 2). The Policy Criteria

and Guidance provide detailed information for public agencies who are seeking a Joint Use Agreement and encroachment permit with Valley Water for a trails project to meet the Policy Criteria. Notice of a public hearing to amend the Water Resources Protection Manual to include the Policy Criteria and Guidance was made available to the public according to Water Resources Protection Ordinance requirements (Attachment 3). Finally, a proposed resolution to amend the Water Resources Protection Manual to include the Policy Criteria and Guidance is provided (Attachment 4).

Public Outreach

The Policy Criteria and Guidance were developed with input from a Technical Advisory Committee, municipal public works staff, and environmental and trails stakeholder groups. A community meeting to review the Draft Criteria and Guidance was held via Zoom on December 17, 2020. Approximately 90 members of the public attended the meeting. At its January 25, 2021 regular meeting the Board Policy and Planning Committee recommended that staff bring the Criteria and Guidance to the full Board for consideration, following input from the Water Commission and Environmental and Water Resources Committee (EWRC). This input was provided at these committee's April 14 and April 19, 2021 meetings, respectively. The EWRC recommended that the Guidance for protection of riparian habitat be clarified and strengthened. This recommendation is reflected in the Policy Criteria and Guidance.

FINANCIAL IMPACT:

There is no financial impact associated with this item.

CEQA:

The recommended action does not constitute a project under CEQA because it does not have the potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

ATTACHMENTS:

*Attachment 1: Policy Criteria and Guidance
Attachment 2: Resolution, Establishing Policy Criteria
Attachment 3: Notice of Public Hearing
Attachment 4: Resolution, Amending WRPM
Attachment 5: PowerPoint

UNCLASSIFIED MANAGER:

Lisa Bankosh, 408-630-2618



Valley Water

Public Trails on Valley Water Lands: Policy Criteria and Guidance

September 14, 2021

Public Trails on Valley Water Lands: Policy Criteria and Guidance

September 14, 2021

Table of Contents

- 1.0 Introduction
- 2.0 Existing Valley Water Policy Related to Trails
- 3.0 Trail Policy Criteria
- 4.0 Guidance to Meet the Trail Policy Criteria

Figure 1 – Valley Water/Partner Agency Trail Joint Use Agreement Approval Process Flow Chart

Attachment 1 – Trail Project Screening Requirements

Attachment 2– Joint Use Agreement Application Requirements

Attachment 3 – Sample Biological Resources Assessment Requirements

Appendix A – Valley Water Policy Pertaining to Trails

1.0 Introduction

The Santa Clara Valley Water District (Valley Water) holds approximately one-third of Santa Clara County's creek miles, nine of its reservoirs, and narrow bands of adjacent lands totaling about 12,000 acres, in fee title ownership. Valley Water's enabling legislation and existing policies provide for the use of these lands for trails and other recreation that does not unduly impact operations, and is compatible with its water supply, flood protection and environmental stewardship functions.

As of 2020, over 40 miles of trails are in use on Valley Water land. These trails are operated and maintained by any city, special district or the County of Santa Clara, which has jurisdictional authority and financial capacity to do so, through entering into a Joint Use Agreement with Valley Water. Valley Water does not plan, construct, operate, or maintain trails.

In December 2018, members of Valley Water's Community Projects Review Unit, together with staff environmental planners, biologists, and operations and maintenance supervisors, convened a task force to develop criteria and guidance for agencies proposing trails on Valley Water lands. The goal of this effort is to provide a clear Joint Use Agreement process for trail projects on Valley Water lands, including objective requirements that must be met to maintain Valley Water's operational and environmental stewardship functions.

The Trail Policy Criteria (Criteria) clarify that partner agencies are responsible for all aspects of trails from start to finish: from planning, public, stakeholder, and community outreach; through the design and environmental review process; and finally, operations, maintenance, and patrol of the trail. The Criteria also set objective requirements for trail projects to ensure that Valley Water's flood protection, water quality, channel stability, habitat protection, and operational needs are met.

These requirements are then explained in detail in the Guidance to Meet Trail Policy Criteria (Guidance), which compiles information from existing Valley Water administrative policy (such as Water Resources Protection Manual and the Guidelines and Standards for Land Use Near Streams); provides additional detailed requirements for biological resources protection and environmental review; and clarifies the steps in the Joint Use Agreement and Water Resources Protection Ordinance encroachment permit process.

Together, the Trail Policy Criteria and Guidance are intended to provide a roadmap for a collaborative process between Valley Water and agencies proposing a trail on Valley Water lands. This collaborative process begins with thorough planning and outreach led by the agency proposing the project, and continues in an iterative fashion through design and environmental review pursuant to CEQA, for which Valley Water acts as a Responsible Agency. The Criteria and Guidance will allow issues to be identified and addressed early, and/or incompatible projects be eliminated, during the project scoping

or very early planning phase. Valley Water hopes that this clear and objective process will result in trails that support healthy communities, engage residents to promote water resources stewardship, and protect water resources and streamside ecosystems in Santa Clara County.

The Trail Policy Criteria and Guidance shall also be used to guide development of trail projects which are seeking funding through Valley Water's Safe Clean Water and Natural Flood Protection Grants and Partnerships Program. More information about this program can be found at <https://www.valleywater.org/grants>

2.0 Existing Valley Water Policy Related to Trails

District Act

The Santa Clara Valley Water District was created by an act (Act) of the California Legislature, and operates as a state of California Special District, with jurisdiction throughout Santa Clara County. The Act has been amended several times since its initial passage. The [complete updated text of the Act](#) provides for the powers and purposes of Valley Water, including to enhance, protect, and restore streams, riparian corridors, and natural resources in connection with carrying out the purposes set forth in this section; and to preserve open space in Santa Clara County and support the county park system. Section 5, Chapter 14, grants Valley Water the power "To acquire, construct, maintain, operate, and install landscaping or recreational facilities in connection with any dam, reservoir, or other works owned or controlled by the district". This power is exercised according to Board Resolutions described below and included as Appendix A.

Board Resolution 72-44 Recreation Uses of Groundwater Recharge Facilities (1972)

This resolution established policy that provides for public recreational use of groundwater recharge facilities and adjacent lands that is compatible with the recharge function of the facility, that said facilities shall be operated and maintained to permit such joint use whenever feasible; that the provision, maintenance, and use of shall be the responsibility of an appropriate public agency by contract, whenever feasible.

Board Resolution 74-38 Joint Public Use of District Facilities (1974)

This resolution states that it is in the public interest to secure diversified uses of District property to the greatest extent compatible with the primary purpose of such property; that such use shall not unduly interfere with the District's use; that the partner agency will assume full responsibility for maintenance and policing of the use and full responsibility for liability; will take full responsibility for the installation, maintenance and removal of improvements convenient for the joint use; and will solicit public comment and opinion of adjacent property owners and of the affected community.

Board Resolution 82-30 Joint Use of Lands Acquired for Upper and Lower Llagas Creek PL 566 Watershed Projects(1982)

On May 25, 1982, the Board adopted Resolution 82-30 (Appendix A), declaring a policy to govern joint use of lands acquired for Upper and Lower Llagas Creek PL-566 (PL-566) Watershed projects. The policy states that the District shall neither make nor permit any use whatever for public access for park, trails, or recreation or similar purposes of lands presently owned or acquired by it for the Upper and Lower Creek Watershed projects while adjacent lands are within the areas designated Resource Conservation Areas in the land use plan of the General Plan of the County of Santa Clara.

The County land use, "Resource Conservation Areas", is an umbrella designation that includes agricultural, open space, baylands, hillsides, park, and ranch lands. These land uses occur largely along Llagas Creek from the Pajaro River to Lake Silveira and its tributaries (reaches 1 through 4 of the PL-566 project) and do not include lands in the urban areas of Gilroy and Morgan Hill. As trail projects are proposed within PL-566 project area and planning and environmental review are completed by the local public agencies, waivers of Resolution 82-30 may be approved by Valley Water on a case-by case basis.

Joint Resolution of the Board of Supervisors of the County of Santa Clara and the Board of Directors of the Santa Clara Valley Water District.

In 2018, Valley Water and the County of Santa Clara adopted a resolution approving shared principles as a framework for the land use relationship between the parties. The Resolution emphasizes existing policy intersections between the two agencies, including those sections of the District Act (see above) which grant Valley Water the power to preserve open space and support the County Parks system, and to acquire, construct, maintain, operate, and install recreational facilities in connection with any dam, reservoir, or other works owned or controlled by Valley Water. The full text of the resolution is provided in Appendix A.

Board Governance Ends Policies

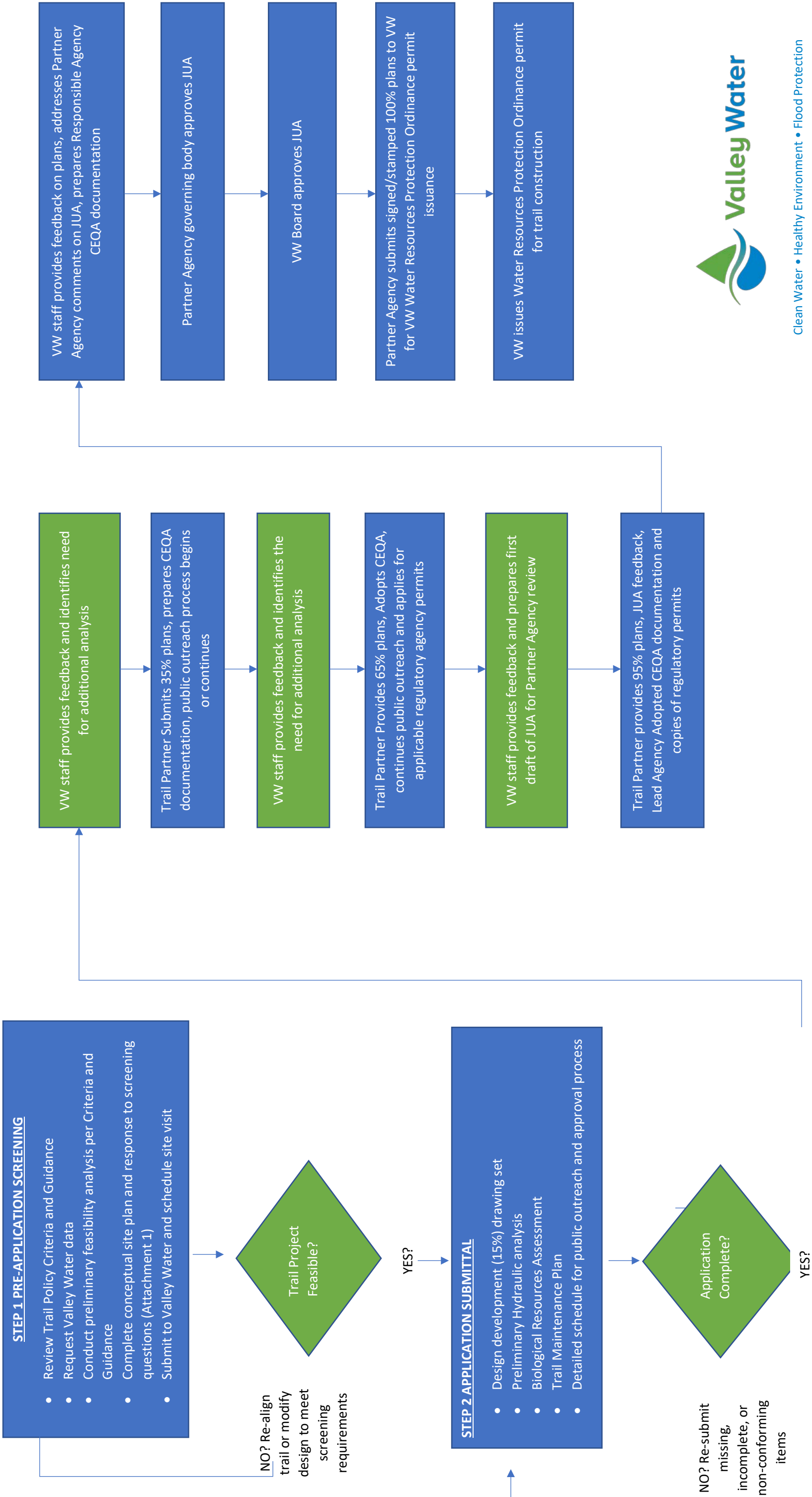
The Valley Water Board of Directors directs its appointed officers to accomplish a set of Ends related to Water Supply, Natural Flood Protection, and Water Resources Stewardship (which are being updated at the time of this writing). The Draft Ends Policy E-4, Water Resources Stewardship, includes the objective to provide appropriate public access to Valley Water's streamside and watershed lands, as part of the overall Goal 5: Engage the community to promote watershed stewardship. This Trail Policy Criteria and Guidance provide evaluative standards that define appropriate public access, and instructions for how proposed trail projects can meet the standards.

3.0 Trails Policy Criteria

Valley Water permits the use of its lands for appropriate public access trails (Trail Projects) that are constructed, operated, and maintained by other public agencies and jurisdictions (Partner Agencies) through Joint Use Agreements with Valley Water. The Trails Policy Criteria (Criteria) are evaluative standards that inform the Valley Water Board of Director's decision-making process for evaluating a Joint Use Agreement for a Trail Project. The Criteria ensure that Trail Projects support healthy communities, while maintaining operation of Valley Water facilities for water supply and flood control, sustaining water quality to meet regulatory standards, and meeting environmental objectives. There are eight Criteria, each corresponding to an area of particular concern for Valley Water. The Criteria are listed below, and are defined in the following Guidance section.

1. **Planning and Public Outreach.** The Partner Agency with authority over the use, management, and policing of the Trail Project shall have completed a public planning and community outreach process prior to Valley Water's consideration of a Joint Use Agreement.
2. **Flood Protection.** Trail Projects, at a minimum, must not reduce existing or design levels of flood protection provided by a Valley Water facility both from operation and maintenance perspectives, adversely affect existing FEMA flood mapping, increase the extent of flooding or increase the frequency of flooding. Trail Projects must be compatible with planned Valley Water capital projects.
3. **Water Quality.** Trail Projects will be designed to minimize erosion and the flow of pollutants, including trash and litter, into aquatic environments. Pervious trail surfaces are preferred.
4. **Channel Stability.** Trail Projects, including any in-channel project components, must not adversely affect channel stability or cause or exacerbate existing erosion problems.
5. **Habitat Protection.** Construction and use of Trail Projects must not result in serious or major disturbance to biological resources, including aquatic, riparian, and wetland habitat, and the streamside ecosystem.
6. **Maintenance and Security.** Maintenance, policing, and management of the Trail Project is at the sole cost and responsibility of the Partner Agency. Removal or alteration of trail infrastructure for any reason, shall be at the cost of the Partner Agency.
7. **Valley Water Access.** The Trail Project must not limit or constrain Valley Water access to maintain and operate its facilities.
8. **Regulatory Compliance.** The Partner Agency is responsible for completing environmental review pursuant to the California Environmental Quality Act and obtaining all necessary regulatory permits prior to trail construction and use.

Trail Project Joint Use Agreement and Permit Process



4.0 Guidance to Meet the Trail Policy Criteria

The following Guidance is intended to aid Partner Agencies in planning, siting, and designing a trail that will meet the Criteria. The Guidance, in part, compiles relevant sections of Valley Water's Water Resources Protection Ordinance (<https://www.valleywater.org/contractors/doing-businesses-with-the-district/permits-working-valley-water-land-or-easement/water-resources-protection-manual>), and provides additional process requirements for Joint Use Agreements (JUAs) for Trails Projects. While flexible, the Guidance is written to minimize subjectivity and therefore aids both the Partner Agency and Valley Water staff in developing the JUA.

Process

The typical JUA process for a Trail Project is shown in **Figure 1**. Valley Water offers a two-step process for reviewing Trail Projects. The first step provides a Partner Agency with the opportunity to screen potential Trail Projects prior to investing significant resources to conduct the studies required to submit JUA and encroachment permit applications. Trail Project Screening is appropriate for the review of long-range trail planning projects that may include trail feasibility studies and master plans and/or incorporation of trails in general plans and specific plans.

Step 1 – Trail Project Screening

The Partner Agency shall submit conceptual designs and information describing how the Trail Project meets the requirements for review by Valley Water staff (Attachment 1 – Trail Project Screening Requirements). If the materials are complete Valley Water's Community Project Review Unit will conduct a site visit with Partner Agency staff to fully understand the proposed Trail Project and identify issues to be addressed in future studies. The screening process/site visit will culminate in response letter to the Partner Agency. This letter will provide an assessment of the feasibility to develop the Trail Project as proposed on Valley Water lands, and/or recommend alternative alignments or design features to improve feasibility (if possible). The Trail Project screening phase may therefore be an iterative process.

Step 2 – Joint Use Agreement Application

The Partner Agency formally initiates the JUA Application process by submitting the materials identified in Attachment 2 – Joint Use Agreement Application Requirements. Following JUA application submittal, Valley Water's Community Projects Review Unit will review the application materials. If the application is incomplete or includes non-conforming items, the Partner Agency will be informed and requested to address and resubmit these items, if feasible.

4.1 Public Outreach by the Partner Agency

The Partner Agency shall conduct a thorough public process for the Trail Project which includes meaningful opportunities for public and stakeholder input at phases of trail planning. Trail Projects which are included in regional, general, or countywide master

plans must also be subject to a specific planning process which includes public and stakeholder outreach. Stakeholders can include adjacent property owners, resource and regulatory agencies with jurisdiction over the Trail Project, in addition to trail user groups and non-governmental organizations. Outreach for the Trail Project shall be inclusive, with equitable opportunities for all members of the community to participate. Valley Water is committed to providing equal access to its lands regardless of racial or economic characteristics of the trail user community. When necessary, targeted outreach shall be conducted to neighboring landowners.

Valley Water supports the Partner Agency's planning and public outreach process through review of preliminary design products and attending and/or participating in public and stakeholder meetings. To facilitate this, the Partner Agency shall inform Valley Water of any public meetings a minimum of five (5) business days in advance of the public meeting. Materials, displays, and presentations included in the meeting shall be provided for review at that time.

Documentation of the public outreach process shall be provided by the Partner Agency when submitting a Trail Project for consideration by Community Projects Review Unit. Documentation shall include a record of public, community, stakeholder, and other meetings, as well as written or online outreach efforts.

4.2 Flood Protection

Trail Projects must not reduce the size of the active channel and floodplain conveyance area or re-direct channel flow to the detriment of channel stability. If trail development is proposed within the channel or active floodplain, a hydraulic analysis must be conducted to confirm that no increase in erosive velocity or flood elevations will result. The hydraulic analysis shall be prepared using HEC-RAS modeling format and include a scour analysis of the channel and active floodplain. Smaller streams in upper watershed areas may be exempt from this requirement. A geomorphic assessment may also be required if there is a possibility the project may increase channel instability. Additionally, in some cases sediment transport modeling may be necessary to determine if the project will alter routine sediment removal needs. Definitions and additional detail may be found in the Water Resources Protection Manual (<https://www.valleywater.org/contractors/doing-businesses-with-the-district/permits-working-valley-water-land-or-easement/water-resources-protection-manual>).

Creek Crossings

In general, pedestrian/bicycle bridges must be located a minimum of two feet above the 100-year flood elevation, or two feet above the Flood Hazard Flood Insurance Rate Map flood elevation (located at <https://msc.fema.gov/portal/home>) and be constructed as clear span structures. If the length of the span makes clear span infeasible, the following requirements apply:

- Footings and pile caps are designed based on channel scour to prevent erosion;

- Foundation depth is a minimum of three (3) feet below the active channel invert; and
- Piers or pier walls are located outside the low flow channel and do not impair access to the channel for maintenance.

Clearance under pedestrian/bicycle bridges must be a minimum of 14 feet from the bridge soffit to the channel invert in settings where equipment must have access to the creek bed. Valley Water staff will determine if and where creek bed access is required for operations and maintenance. Culvert crossings are strongly discouraged. In cases where a bridge is infeasible, culvert design must include consultation with the Regional Water Quality Control Board, and must not impede flows.

Boardwalks

Boardwalks must not overhang or encroach beyond or within the top of bank (otherwise requirements for bridges shall apply).

Vegetation Planting/Landscaping

Revegetation or landscaping associated with the Trail Project shall consist of appropriate native plants that do not impact flow conveyance of, or maintenance access to, the channel. Additionally, plantings must not reduce or limit Valley Water's ability to provide future mitigation for its own purposes on Valley Water lands (also see **Habitat Protection**). Planting plans identifying location, number, and species shall be included in design plans for review during the JUA process.

4.3 Water Quality

The Trail Project shall include stormwater runoff reduction measures to prevent the flow of pollutants including sediment, litter, pet waste, pesticides, and chemical spills, into the creek or waterbody. Sheet flows along the trail surface toward the creek and associated concentration of flows over the creek bank shall be avoided through design, including proper slopes, angles, and surface materials. The use of pervious pavement is encouraged. Pervious pavement is a load-bearing, durable surface constructed over a subbase/base structure typically consisting of compacted, open-graded aggregate. This layer or layers temporarily stores water prior to infiltration or drainage to a controlled outlet. Pervious pavement must be cleaned regularly to maintain its infiltration capacity (see **Maintenance**). Pervious pavement shall not be utilized for Trail Projects located on levees or some other engineered banks.

Stormwater treatment shall be incorporated into the Trail Project according to the applicable Municipal Regional Permit Provision C.3. If required by this provision, treatment methods include bioretention areas, infiltration trenches, extended detention basins, vegetated swales, or, at a minimum, vegetated buffer strips. Piped subsurface drainage, drain dips, or swales must discharge to a lower elevation bioswale or appropriate C.3 feature, or an existing/new outfall. And, in combination with other runoff reduction measures, pervious pavement may be used to meet Provision C.3

Best Management Practices and other measures to reduce trail impacts to water quality, which may include providing and maintaining trash receptacles, installing signage to reduce litter and pet waste, to reduce pollution shall be included in construction plans and/or specifications for the Trail Project. If the Trail Project will result in one acre or more of soil disturbance, a Construction General Permit through the San Francisco Bay Regional Water Quality Control Board may be required. For smaller projects, pollution prevention BMPs are available here: [https://scvurppp.org/pdfs/1415/SCVURPPP Countywide Program BMP Plan Sheet 0 41615.pdf](https://scvurppp.org/pdfs/1415/SCVURPPP%20Countywide%20Program%20BMP%20Plan%20Sheet%20041615.pdf)

4.4 Channel Stability

Chapter 1 of Valley Water's Water Resources Protection Manual, available at <https://www.valleywater.org/sites/default/files/WRPM%20Ch%201.pdf>, provides detailing information regarding channel stability requirements. General guidelines to aid Partner Agencies in designing Trail Projects that avoid impacts to channel stability are provided below.

Trails and engineered trail structures must not adversely affect channel stability due to erosive streamflow or runoff or sediment aggradation (also see **Water Quality**). Trail Projects must submit a hydraulic analysis using HEC-RAS modeling format (see Flood Protection).

Trail Projects must avoid exacerbating existing erosion problems. Alternately, Trail Projects may repair the existing problems or provide funding for Valley Water long-term maintenance actions. Valley Water is under no obligation to repair streambank erosion or make other repairs solely to maintain trail function or use; however, repair of streambank erosion unrelated to trails is within Valley Water's general responsibility. If a Partner Agency wishes to repair streambank erosion or other repairs solely to maintain trail function or use, Valley Water will coordinate with Partner Agency and will not unreasonably deny request. If streambank repair is deemed beneficial to both Valley Water and Partner Agency, both parties may join in partnership to complete the necessary repairs.

If trails are proposed along natural channels with unstable banks or recurring erosion damage, the trail project shall include appropriate bank stabilization measures such as earth repair with compacted soil, buried rock buttress, live construction, contour wattling or planting, or other bioengineering techniques. Design of the bank stabilization measures shall occur in close coordination with Valley Water staff, maintain or improve conveyance capacity of the channel, and shall not increase long-term maintenance needs for the project reach. Detailed design guidance is available in the Water Resources Protection Manual (<https://www.valleywater.org/contractors/doing-businesses-with-the-district/permits-working-valley-water-land-or-easement/water-resources-protection-manual>).

As an alternative to including bank stabilization measures in the project, the applicant may choose to enter into a long-term maintenance agreement with Valley Water as part of the terms of the JUA. The long-term maintenance agreement would include funding by the Partner Agency to ensure that other required maintenance activities are not affected by the additional, trail-related maintenance.

4.5 Habitat Protection

Riparian habitats are found along the stream courses in Santa Clara County. These creekside plant communities provide refuge and forage for many animals and support threatened and endangered species. Throughout the San Francisco Bay Area, riparian habitat has been lost and degraded for a variety of reasons including urbanization of watersheds, channelization of streams and introduction of exotic species. Climate change may further degrade the riparian habitats. More than 225 species of birds, mammals, reptiles, and amphibians depend on California's riparian habitats.

Construction and use of Trail Projects must minimize or avoid disturbance to biological resources, including riparian habitat. Potential direct and indirect impacts to biological resources from the construction and use of the proposed Trail Project must be carefully analyzed by a qualified biologist and included with the Joint Use Agreement Application (Attachment 2 – Joint Use Agreement Application Requirements and Attachment 3 - Sample Biological Resources Assessment Table of Contents). The Biological Resources Assessment shall, at a minimum, clearly identify the natural vegetation communities, special-status species, wildlife corridors, sensitive or anticipated jurisdictional lands (such as wetlands and riparian habitat), existing Valley Water Mitigation Areas, and Santa Clara Valley Habitat Plan Land Cover Types, if applicable, potentially impacted by the Trail Project. The assessment shall identify potential impacts from construction and use of the Trail Project on these resources and recommend appropriate measures to avoid or minimize potential impacts¹.

Valley Water will determine whether the proposed Trail Project meets the Habitat Protection criteria on a case-by-case basis according to, but not limited to, the guidelines detailed below.

If impacts to biological resources cannot be avoided through project design, suitable habitat or other enhancements to offset unavoidable impacts should be developed and described in the Biological Resources Assessment. Such enhancements must be included as part of the project and may be in addition to mitigation requirements through regulatory (non-Valley Water) permit processes.

¹ The Biological Resources Assessment will form the basis for Valley Water's analysis of the feasibility of the proposed Trail Project related to the Habitat Protection criteria, and should also form the basis for the Trail Partner's environmental review pursuant to CEQA and subsequent regulatory permitting. However, it should be noted that Valley Water's requirements for Habitat Protection are not intended to be precisely aligned with established thresholds which determine the level of significance of, and required mitigation for, impacts to Biological Resources under CEQA or other state and federal regulations. The **Regulatory Compliance** section provides information about Valley Water's role as CEQA Responsible Agency.

The guidelines below are intended to assist Partner Agencies to design Trail Projects that meet Valley Water's Habitat Protection criteria.

Sensitive Trail Siting and Design.

New construction of trails or trail segments within wetlands or parallel to waterways within ~~contiguous~~ riparian habitat shall be avoided, and an appropriate buffer provided where feasible. Access areas to the waterway or riparian habitat for interpretive/educational purposes, aligned and designed to minimize impacts to habitat, are encouraged. Trail Projects shall be located along existing access roads or within other previously-disturbed areas, and shall be generally limited to one side of the waterway. Crossings shall be avoided to the maximum extent feasible to minimize shading impacts on the streams. Bridges proposed as part of a Trail Project should typically be situated perpendicular to streamflow.

Protection of Native Vegetation.

Trail Projects shall avoid removal or substantial pruning of native trees, and seek an alignment that maintains a contiguous tree canopy. If tree removal is required, the trail shall be aligned such that young/small, unhealthy, non-native, or trees unlikely to reach maturity due to site conditions (e.g., located beneath power lines, growing in confined areas, shaded out by larger trees, etc.), are targeted for removal.

Protective Design Features.

Measures to minimize habitat degradation from trail use include: the use of natural barriers or other design elements such as signage, short fencing, native plantings and bollards to discourage off-trail use, designated access points or viewing areas designed to focus access in less sensitive areas, abandoning and restoring unauthorized access areas, installing interpretive and regulatory signage, and regular patrol.

Minimize Grading and Excavation

Grading and excavation for the trail project shall be minimized, with unpaved trails designed to follow natural land contours to the extent feasible and avoid disruption of natural drainage patterns (avoiding concentration of runoff over the creek bank). Paved trails should be graded to drain away from the creek to avoid erosion and rills on the creek bank which commonly occur when the top of bank is paved. Excavation for trail projects must avoid disturbing the root systems of mature native trees. This is generally defined by the dripline, or outer circumference of the canopy. If grading or excavation must occur beneath the dripline of native trees, a certified arborist must be consulted to determine appropriate tree protection measures or alternate setbacks. Additional BMPs may be required when working adjacent to the channel to ensure water quality is not impacted due to excavation and grading.

Wildlife-Friendly Lighting

Except as required by law, or to provide for visitor safety at trail undercrossings or other engineered structures or other key locations, lighting is prohibited. If lighting is required, it shall be outside riparian habitat and of a wildlife-friendly design

(shaded/shielded, directed down, motion-sensored, lighting color/wavelength, timers to control lighting use).

Native Planting

Revegetation or landscaping associated with the Trail Project shall consist of appropriate native plants that do not impact flow conveyance of, or maintenance access to, the channel. Additionally, plantings must not reduce or limit Valley Water's ability to provide future mitigation for its own purposes on Valley Water lands (also see **Habitat Protection**). Planting plans identifying location, number, and species shall be included in design plans for review during the JUA process.

Trail Undercrossings

New trail undercrossings of roads and highways, where maintenance roads do not exist, should be located above the 10-year flood return interval unless no other feasible alternative exists.

Habitat Enhancement

Habitat enhancement may be incorporated into the design of the Trail Projects to offset adverse effects and create an overall beneficial impact on habitat quality. Such enhancements may include geomorphological restoration (improving the channel bed and banks of the creek to restore historic channel or floodplain connectivity), removal of existing barriers to aquatic habitat connectivity, and relocating or reconstructing existing trails or other developed areas to correct environmental damage, restore natural drainage patterns, and/or improve stormwater infiltration and treatment.

4.6 Maintenance and Security

Trail maintenance plans are required as part of the Joint Use Agreement and shall include, at a minimum, the following items:

- a. Annual trail brushing (trimming vegetation back to maintain designed trail width and vertical clearance) and trail-associated invasive species control, and vacuuming of pervious pavement and other drainage system maintenance as applicable, as-needed hazardous tree removal, tread/trail surface repair, maintenance and monitoring of plantings, and trash and graffiti removal.
- b. A schedule of maintenance inspections.
- c. A detailed action plan and parties responsible for trail closure required for Valley Water maintenance actions and during winter storms resulting in high creek flows flooding trail underpasses. The trail closure plan must include bicyclist and pedestrian detour routes that can be utilized during closures. The Partner Agency shall be responsible for the implementation of the trail detour and shall be the primary contact for trail users during a Valley Water maintenance closure of the trail. Valley Water staff will provide contact information for questions relating to the project and timeline as needed and will work with the Partner Agency to provide project information to trail users. Signage shall be provided in advance of the trail closure, with users instructed to address questions or comments to the

Partner Agency. Whenever possible, Valley Water will provide a minimum of one-week advanced notice of routine or planned maintenance.

- d. Trail security is the responsibility of the Partner Agency.
- e. An annual budget for addressing routine, annual, adaptive management actions and unanticipated trail maintenance needs, with a funding source identified. It is recommended that the Partner Agency secure associated permits to undertake these activities while seeking construction permits.

Trail maintenance plans shall be reviewed and considered with the JUA application.

4.7 Valley Water Access

Trail Projects, including all above-grade engineered structures and signage, must be sited and designed to provide a clear path of travel for Valley Water maintenance, operations, and emergency vehicles. Trail closures during Valley Water maintenance activities are mandatory and the responsibility of the Partner Agency. Fencing or other safety and security features, if required to protect trail users, Valley Water assets or adjacent public or private property, must typically be located at or outside of the Valley Water property boundary unless otherwise acceptable to Valley Water and such features allow necessary access, maintenance and operations. See also *Stream Channels*, section e., on following page.

Valley Water lands are required to construct and maintain flood protection and water supply infrastructure. Therefore, Trail Projects on Valley Water lands have the potential to impact levees, concrete channels, engineered channels (non-concrete lined), natural channels, flood walls, and water utility facilities such as dams, reservoirs, water diversion infrastructure, pipelines and percolation ponds. Trail Projects must identify and avoid impacts to operation and maintenance of these facilities. Spatial location data for Valley Water facilities is available upon request (see **Screening Criteria**, below).

Information on typical maintenance activities and associated access requirements are provided below.

Stream channels. Channel maintenance activities generally include sediment removal, streambank protection/repair, clearing of trash and debris, vegetation management and invasive species control, and riparian planting. Required access standards for routine channel maintenance include:

- a. Maintenance roads must be maintained at their existing width, generally 18 feet, but no narrower than 12 feet. Partner Agency shall secure additional lands as feasible to maintain adequate path of travel for Valley Water maintenance vehicles.
- b. Landscaping or riparian habitat plantings associated with the Trail Project must not constrict the width of existing maintenance roads. Trimming or pruning of plantings may be required on a seasonal basis and is the responsibility of the Partner Agency (see **Maintenance**).

- c. Irrigation, if necessary, must be temporary and should typically be above ground, to be removed following the plant establishment period.
- d. Utilities necessary for the Trail Project shall not be located on Valley Water property except for necessary storm drainage features as described in Section 4.3 above.
- e. Fencing between the trail and the channel is not permitted, except in special circumstances of particular safety concern. Fencing shall be constructed to facilitate easy removal or minimization (fold-down railing) by the Partner Agency (such using removable bollards or posts). Such removal shall occur within 10 business days of receiving written request from Valley Water.
- f. All trail furniture, amenities, and signage must maintain a clear path of travel for maintenance vehicles. Trail furniture and other features that attract concentrated use shall be located away from maintenance roads and if proposed at maintenance access points shall be sited so as to accommodate maintenance needs.

Levees and flood walls. In addition to the above, required access standards for trails on levees include:

- a. Army Corps of Engineers (ACOE) levee standards and FEMA National Flood Insurance Program (NFIP) standards must be met for any construction on levees. Additional ACOE requirements or restriction may apply if the levee was constructed by the ACOE and subject to Section 408 approval. No plantings are allowed on levees aside from herbaceous plantings that can be mowed and maintained to allow visual inspection of the levee. No irrigation, even temporary, shall be allowed on levees.
- b. No fencing shall be allowed on levees aside from at trail entrances or at channel crossings. Proposed access ramps should not result in a decrease to the levee section.

Reservoirs and Percolation Ponds. In addition to the above, required access standards for trails along reservoirs and percolation ponds include: Trails along Water Utility facilities, such as reservoirs, dams and percolation ponds, must be located in a manner which does not impede the function of or access to the facility or any appurtenances or impair maintenance of the facility. In the case of reservoirs, Division of Safety of Dams (DSOD) and/or State Water Resources Control Board (SWRCB) requirements may apply if the Trail Project may impact the dam or function of the dam or water quality of source of supply reservoirs.

4.8 Regulatory Compliance

California Environmental Quality Act (CEQA)

Partner Agencies will conduct environmental review pursuant to CEQA for the proposed Trail Project and in nearly all cases will act as the CEQA Lead Agency. The appropriate CEQA document or exemption category must be identified in the Trail Screening Application. Valley Water will act as Responsible Agency and as such anticipates consultation during the scoping, administrative draft, and public review draft stages of

development of the CEQA document. The purpose of the consultation is to ensure that the CEQA document that will be used later for Valley Water's CEQA compliance addresses its interests. Valley Water will review and provide written comment on draft CEQA documents. The Trail Project CEQA document must be approved by the Partner Agency before the Valley Water Board of Directors considers final approval of a JUA.

Regulatory Permitting

The Partner Agency is responsible for securing permits from all regulatory agencies prior to final approval of Valley Water's Water Resources Protection Ordinance Encroachment Permit for the Trail Project. The Partner Agency should consider long-term maintenance and adaptive management plans when seeking regulatory permits.

ATTACHMENT 1. TRAIL PROJECT SCREENING REQUIREMENTS

1. Vicinity map showing the location of the Trail Project relative to existing roads and trails
2. Conceptual site plan including the following information:
 - General contours
 - Boundaries of Valley Water lands and adjacent parcels, including all Valley Water and non-Valley Water easements and FEMA flood zones
 - Top of bank, centerline of the watercourse and dripline of the riparian canopy
 - Proposed trail alignment, engineered structures (bridges, underpasses and ramps, overcrossings, etc.), trailheads, or other major improvements
3. Project Description. Provide a short description of the trail and engineered structures indicating width, shoulders, surfacing material and any other design objectives. Indicate whether the Trail Project is within an approved plan, and any project-specific planning or public outreach conducted and/or planned.
4. Valley Water Operations and Access. Describe how the project will maintain necessary access for Valley Water operations and maintenance activities. For Trail Projects located within or adjacent to a capital project planned by Valley Water, describe how the Trail Project proposes to integrate with, or avoid impacts to, the Valley Water capital project.
5. Water Quality and Habitat Protection. Describe grading and drainage improvements proposed to address stormwater flows from the trail surface. Indicate potential impacts to riparian or wetland habitat, mature native trees, or other sensitive or protected biological resources.
6. Trail Operations and Maintenance. Outline long-term maintenance and security considerations and describe the capacity of the jurisdiction to maintain, patrol, and manage the Trail Project in perpetuity. Include information about existing, similar maintenance programs and demonstrate the expertise and ability to address expected and unforeseen future maintenance and security issues. Describe any public safety or security measures included in the project.
7. Environmental Review and Permitting. Identify the anticipated level of CEQA environmental review and regulatory permits for the Trail Project.
8. Proposed Schedule.

ATTACHMENT 2. JOINT USE AGREEMENT APPLICATION REQUIREMENTS

1. Concept design drawings and site plan including:
 - ☐ A vicinity map showing the location of the Trail Project relative to existing roads and trails
 - ☐ Accurate contour lines showing topography at reasonable intervals on slopes greater than five percent
 - ☐ Boundaries of Valley Water and adjacent parcels, including all Valley Water and non-Valley Water easements
 - ☐ Top of bank and centerline of watercourses
 - ☐ Vegetation types, resource agency jurisdictional areas and boundaries (from Biological Resources Assessment)
 - ☐ Location, common name, diameter and number of trees to be removed or located near improvements, measured 4.5 feet above grade.
 - ☐ FEMA flood zones, water surface elevations, and flow rates
 - ☐ Proposed trail alignment and locations of bridges, trailheads, drainage features, or other major improvements
 - ☐ Location of all existing improvements and utilities
 - ☐ Existing drainage patterns and drainage patterns as a result of the Trail Project
 - ☐ Typical trail cross sections including surfacing materials
 - ☐ Conceptual pedestrian detour plans that can be utilized during trail closures
2. Hydraulic Analysis. If the Trail Project or a portion of it is proposed within a creek channel or its active floodplain attach hydraulic analysis showing no adverse impact to the channel's ability to convey flows. This requirement may be waived in upper reaches or small creeks.
3. Biological Resources Assessment that addresses any impacts to special status species, sensitive or jurisdictional habitats, mature native trees, and wildlife corridors (See Attachment 3 – Biological Resources Assessment Requirements).
4. Trail maintenance plan and commitment of financial resources to implement the plan.
5. Detailed schedule including public planning process, environmental review, and consideration for approval by the Partner Agency governing body.

ATTACHMENT 3. BIOLOGICAL RESOURCES ASSESSMENT REQUIREMENTS

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2. Environmental Setting
3. Methodology and Biologist Qualifications
4. Vegetation and Wildlife Habitat in the Project Area
5. Wildlife Corridor Assessment
6. Jurisdictional and Valley Habitat Plan Fee Zones in the Project Area
7. Special Status Species Potentially Occurring in the Project Area
8. Potential Project Impacts
9. Feasible Alternatives to Avoid Impacts
10. Impact Avoidance and Minimization Measures
11. Compensatory Mitigation Requirements and Recommendations

Figures

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- Figure 2: Aerial image of biological assessment area and surrounding land uses.
- Figure 3: Aerial image of vegetative communities and developed areas within the Project area.
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- Table 2. Trees >3" DBH Proposed for Removal
- Table 3. Special Status Species with Potential to Occur in the Project Area
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Appendix A
Board Resolutions

RESOLUTION NO. 72-44

STATING POLICY OF
SANTA CLARA COUNTY FLOOD CONTROL AND WATER DISTRICT
REGARDING RECREATION USES OF GROUNDWATER
RECHARGE FACILITIES

WHEREAS, groundwater recharge facilities, consisting of spreading basins or percolation ponds, have and will be constructed, operated and maintained by this District in order to supplement the natural recharge of the underground water basins of Santa Clara County; and

WHEREAS, such facilities provide an opportunity for water-oriented, public recreation; and

WHEREAS, a public recreation use of groundwater recharge facilities can only be compatible with the recharge function under certain restrictions upon such recreation use all as more fully set forth in "Statement Regarding Recreation Use of Groundwater Recharge Facilities" of June 1972 to which reference is hereby made; now, therefore, be it

RESOLVED, by the Board of Directors of Santa Clara County Flood Control and Water District that the following statement of policy regarding recreation use of this District's groundwater recharge facilities shall be and the same is hereby adopted:

1. Compatible public recreational use of the lands adjacent to, and of the water surface of, groundwater recharge facilities is favored.

2. Said facilities shall be so operated and maintained as to permit such joint use wherever feasible.

3. The provision of recreational structures, facilities and amenities and their maintenance for safety and sightliness, together with the control of the recreation use, shall be wherever possible the responsibility of an appropriate public agency by contract with this District.

4. The following recreational activities are incompatible with the water conservation objective of the facilities and will be prohibited:

- a. Swimming and wading.
- b. Motorboating.
- c. The operation of motor vehicles or the presence of large animals within, on or immediately adjacent to the side slopes of a recharge basin.

5. District water supply revenues will not be used to meet the cost of such recreation uses as on-shore facilities, fish stocking and replacement, public liability insurance, policing and supervision.

PASSED AND ADOPTED by the Board of Directors of Santa Clara County Flood Control and Water District this 13th day of June 1972,

Resolution No. 72-44, STATING POLICY OF SANTA CLARA COUNTY FLOOD CONTROL AND WATER DISTRICT REGARDING RECREATION USES OF GROUND-WATER RECHARGE FACILITIES, by the following vote:

AYES:	Directors	J. CHIRI, V. F. CORSIGLIA, M. E. DULLEA, J. J. LENIHAN, R. T. SAPP, R. J. STURLA, F. A. WILCOX
NOES:	Directors	NONE
ABSENT:	Directors	NONE

SANTA CLARA COUNTY FLOOD CONTROL
AND WATER DISTRICT

By: Maurice E. Dullea
Chairman of the Board of Directors

ATTEST: VIOLET V. ENANDER

Violet V. Enander
Clerk of said Board of Directors

STATEMENT REGARDING RECREATION USE
OF GROUNDWATER RECHARGE FACILITIES

June 1972

The Santa Clara County Flood Control and Water District has been asked to discuss the cost or policy matters relating to the use of groundwater recharge ponds for recreation. It is clear from our studies and those of others that some aspects of recreation and groundwater recharge conflict with each other. However, this does not mean that groundwater recharge ponds cannot be used for recreation. Groundwater recharge ponds can be used for recreation provided that appropriate coordinated efforts are made by the respective jurisdictions handling groundwater recharge and recreation, and further, that appropriate cost allocations are made between these two purposes.

For example, the recreation activity must accept full responsibility for the handling of people who would use the groundwater recharge facility, such as accepting liability responsibility, taking care of policing, and providing parking facilities. As in all recreation areas, there is the problem of trash and litter which requires continual attention. The use of groundwater recharge facilities for recreation provides greater opportunities for vandalism of the control works necessary to the basic function of groundwater recharge. Some recreation users plug outlets, change controls, block overflow weirs, and break valves and other

control mechanisms. The cost of preventing this type of vandalism together with the repair of such damages can be appropriately shared by the recharge and recreation agencies.

Wading or swimming in groundwater recharge ponds is not acceptable and must be prohibited. These types of activities break down the agglomerated particles and stir up the fine soil materials which settle to create a thin film of relatively impermeable material over the sides and bottoms of the ponds. This prevents infiltration of water and therefore reduces, by a considerable amount, the groundwater recharge capability. In addition, there is a public health problem which arises from the fact that the recharge water is not chlorinated and a concentrated use of the facility by swimmers creates an unsanitary condition which is not acceptable to the Public Health regulatory agencies.

The passive recreation uses such as aesthetic enjoyment, fishing, perhaps some forms of model boating or even sailing and rafting (which may not be exactly passive in themselves) can be considered compatible to some extent with groundwater recharge under appropriate regulations. It is clear that any recreation activity in and around the percolation ponds provides an opportunity for the disposal of trash and litter into the water system. This trash and litter has a tendency to seal off the sides and bottom of the ponds, reducing the total amount of groundwater recharge. In order to maintain the groundwater recharge capability

the ponds would have to be cleaned more often at an increased cost.

It may, in some locations, be possible to increase the number of percolation ponds so that the reduction in groundwater recharge caused by recreation activities is made up by the increased number of recharge facilities. However, it is clear that the cost of the increased number of recharge facilities required to make up the lost groundwater recharge capability should be assigned to the recreation users.

There are also operational problems which must be faced in a cooperative fashion by the recreation and water agencies. For example, it appears that a wet and dry cycling operation with the dry periods relatively frequent increases the total quantity of water recharged. It also reduces insect problems and algae and weed growth. It is also obvious that such a wet-dry operation would adversely affect any fish population and would cause complaints by the recreation users who desire to see the basins full of water at all times. It may be possible to operate the groundwater recharge facilities in a relatively continuous fashion; that is, keep them full until the groundwater recharge rates are reduced to the point of diminishing returns and then the ponds could be dried and cleaned in order to reestablish the recharge rates. Under this form of operation cleaning would normally be done about once or twice a year. During these cleaning operations the fish would have to be transferred into holding ponds in order

to maintain a fish population or the area restocked after cleaning. This can be done, but the cost of such handling and restocking are appropriately charged to the recreation users.

It is clear that a combined recreation-groundwater recharge facility would result in a less flexible operation from a water supply standpoint. The recreation user would be in large numbers and when recreation was adversely affected by some water supply operation you could expect considerable complaints. However, little or nothing is heard in the way of complaints over the lack of groundwater recharge. Recharge apparently is something that few people fully appreciate.

To make groundwater recharge facilities more acceptable for recreational use, it would be desirable if there were areas adjacent to the water suitable for parking, picnicking, and other recreation activities. Naturally, from a groundwater recharge standpoint, a minimum amount of adjacent land area is acceptable for operation and maintenance and, therefore, the area obtained for groundwater recharge is primarily the water surface. This adjacent land needed for recreational services can be obtained by the recreation agency either at the time of purchase of the recharge area or later if the area is undeveloped. In some cases it may be possible to add recharge facilities to existing park and recreation areas using some of the area already available if it is desirable to add a water body to the park.

From a groundwater recharge standpoint, a number of small ponds provide a greater ease and flexibility of operation as well as allowing them to fit in with the terrain. Therefore, small areas are more suitable for groundwater recharge, while larger water areas are more desirable from a recreation standpoint. It is also desirable to have groundwater recharge facilities that are easy to maintain and in the smaller facilities the rectangular units are preferable. However, the recreation users desire, from an aesthetic standpoint, curved ponds with projections and convolutions to improve the appearance of the water-land area. These types of aesthetic treatments are more adaptable to larger size ponds, considering maintenance problems, but the larger ponds have less flexibility of operation.

The deeper the groundwater recharge ponds are, the better they are for groundwater recharge; this parameter would appear to agree with the recreation uses of boating and fishing. The ponds should be shallower for wading or swimming but since these uses should be prohibited for other reasons then the depth of pond does not seem to be important from a recreation standpoint. However, deeper ponds do present a problem from a public safety standpoint.

The steeper the side slope of the recharge ponds the better it is for groundwater recharge while the flatter side slopes are more desirable from a public safety standpoint. If recharge facilities are to be used for recreation, then it would appear

desirable to add a benched trailway at or immediately above the water surface in the pond. This would provide a means for people who fall into the water to climb out of the ponds where otherwise they may not be able to climb the steep side slopes. This bench or trail adjacent to the water surface would also provide a safe means to meet the desire of people to get closer to the water. The cost of constructing a benched trailway on the side slopes of recharge ponds appears to be a recreation user cost.

It may be concluded, then, that in spite of the fact that recreation and groundwater recharge have some major areas of incompatibility, appropriate cooperation and allocations of cost between water and recreation agencies would permit groundwater recharge facilities to be used for recreation. This dual use requires a full recognition of the problems and appropriate cooperation between the responsible agencies. The recreation agencies should provide appropriate insurance protection, the necessary onshore facilities, fish stocking and replacement, and policing or supervision of the recreation activities at the groundwater recharge facilities. Swimming and wading would have to be prohibited, the use of motor boats on the water would be prohibited and the use of motor vehicles and horses, which cause erosion of the side slopes of the pond areas, would also be prohibited. The water agency would have to develop an appropriate operations program to provide maximization of the groundwater recharge while

at the same time considering the recreation needs, develop vandal proof operation devices and fence critical areas, and take appropriate measures to control insects and aquatic weeds as well as generally maintaining the groundwater recharge facility.

Lloyd C. Fowler
Director of Engineering
Santa Clara County Flood Control
and Water District
June 1972

RESOLUTION NO. 74-38

DECLARING POLICY GOVERNING
JOINT PUBLIC USE OF
DISTRICT FACILITIES

RESOLVED by the Board of Directors of Santa Clara Valley Water District that, it being deemed in the public interest to secure diversified uses of District property to the greatest extent compatible with the primary purpose of such property, it is hereby declared to be the policy of this Board that, upon conditions outlined below and others of like nature deemed necessary by this Board, the joint use of District facilities by properly empowered public agencies is favored.

A. Such joint use shall not unduly interfere with the District's use;

B. The agency which it is proposed shall make such joint use will assume full responsibility for maintenance and policing of the use and full responsibility for damage or claim of damage of every kind resulting from the use and will further provide adequate public liability insurance coverage;

C. The installation, maintenance and removal of improvements or structures necessary or convenient to the joint use shall be at the sole cost of the agency proposing such joint use; and

D. The agency proposing such joint use will secure the

Resolution Declaring Policy Governing Joint Public Use of District Facilities.

comment and opinion of the adjacent property owners and of the affected community by public hearing and make a report of such comment as part of its proposal; provided, that the requirement of a public hearing may in any appropriate case be waived by the District.

PASSED AND ADOPTED by the Board of Directors of Santa Clara Valley Water District, this 7th day of May, 1974, by the following vote:

AYES: Directors J. CHIRI, M. E. DULLEA, P. T. FERRARO,
~~J. J. LENIHAN, E. A. MIRASSOU~~, G. RUSH, R. J. SAPP.

NOES: Directors None

ABSENT: Directors J.J. Lenihan, E.A. Mirassou

SANTA CLARA VALLEY WATER DISTRICT

By: Joseph Chiri
 Chairman of the Board of Directors

ATTEST: VIOLET V. ENANDER

Violet V. Enander
 Clerk of said Board of Directors

RESOLUTION NO. 82- 30

DECLARING POLICY TO GOVERN JOINT USE OF
LANDS ACQUIRED FOR
UPPER AND LOWER LLAGAS CREEK
PL 566 WATERSHED PROJECTS

RESOLVED, by the Board of Directors of Santa Clara Valley Water District, that it shall be the policy of this District that it shall neither make nor permit any use whatever for public access for park, trail, recreation or similar purposes of lands presently owned or acquired by it for the Upper and Lower Llagas Creek PL 566 Watershed projects while adjacent lands are within the areas designated as "Resource Conservation Areas" in the land use plan of the General Plan of the County of Santa Clara.

PASSED AND ADOPTED by the Board of Directors of Santa Clara Valley Water District on May 25, 1982, by the following vote:

AYES: Directors M. E. DULLEA, P. T. FERRARO, A. H. FISHER, R. W. GROSS,
J. J. LENIHAN, A. T. PFEIFFER, S. SANCHEZ

NOES: Directors None

ABSENT: Directors None

ABSTAINED: Director James J. Lenihan

SANTA CLARA VALLEY WATER DISTRICT

By 
Chairman of the Board of Directors

ATTEST: SUSAN A. EKSTRAND


Clerk of the Board of Directors

File No.: 18-0645

Agenda Date: 8/14/2018

Item No.: 4.2.

BOARD AGENDA MEMORANDUM

SUBJECT:

Santa Clara Valley Water District Partnership Agreements with County of Santa Clara.

RECOMMENDATION:

- A. Adopt a JOINT RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA AND THE BOARD OF DIRECTORS OF THE SANTA CLARA VALLEY WATER DISTRICT APPROVING SHARED PRINCIPLES AS A FRAMEWORK FOR THE LAND USE RELATIONSHIP BETWEEN THE PARTIES;
- B. Approve a Memorandum of Agreement Regarding the Land Use Relationship with Santa Clara Valley Water District for a five-year term that may be extended for successive five-year terms with written approval by both parties;
- C. Approve and authorize the Chief Executive Officer (CEO) to execute the Master License Agreement By and Between the Santa Clara Valley Water District and the County of Santa Clara for Mutual Access to County of Santa Clara Parkland and Santa Clara Valley Water District for a five-year period with three renewal terms of five years subject to the written approval of both parties; and
- D. Approve the Master Partnership Agreement for Recreational Use of Certain District Lands, Reservoirs, and Recharge Ponds with the County of Santa Clara.

SUMMARY:

For over 60 years, the Santa Clara Valley Water District (District) and the County of Santa Clara (County) have worked together to effectively manage an integrated system of land and water that serves multiple purposes. By working together, we have protected water quality, provided for recreational use of the reservoirs and creeks, provided education on water conservation, enhanced natural resources, restored habitats, improved flood protection, and removed mercury from the environment.

Under an existing agreement with the District, County has the authority to make available for public recreation ten reservoirs and five ponds owned and operated by the District. Approximately 6,000 acres of District property is leased to the County for recreational purposes; half of the County's 28 parks incorporate or abut District property.

The County spends an estimated \$3 million each year managing public use of District reservoirs and riparian corridors. Through this partnership, the agencies support public launch of approximately 23,000 boats annually. The County conservatively estimates that approximately 66,000 visitors participate in boating and approximately 138,000 visitors participate in fishing each year. In addition, approximately 5,000 people camp at the Coyote Lake Campground constructed and operated by the County on District property. The combined total of these activities accounts for roughly 7% of the total County visitation. In addition to reservoir use, the multi-jurisdictional regional trails system that follows creek corridors partially controlled by the District supports millions of recreational visits annually. The public values the seamless access and recreational use of the combined system of County and District lands, reservoirs, creeks, and visitor-serving facilities.

Our two organizations successfully collaborate on numerous projects, including, but not limited to, the Vessel Inspection Program, remediation of mercury at Almaden Quicksilver County Park, flood protection, creek clean-up events, the Habitat Conservation Plan, and developing an inter-connected system of trails in cooperation with numerous other agencies.

The partnership is formalized through a Master Reservoir Lease, by which the District allows public recreation under the management of the County; and a Master License agreement by which the County permits District access and limited use of Park property.

The existing Master Reservoir Lease was approved by the District Board and the Santa Clara County Board of Supervisors (Board of Supervisors) on September 10, 1996, for a 20-year term through 2016. The lease was amended in 2005 to update the mapped areas and amended a second time in 2009 to incorporate a small parcel next to Vasona Reservoir into the existing agreement. A two-year extension of the current lease was jointly approved in August 2016.

On May 17, 2017, the District Board and the Board of Supervisors agreed to appoint ad-hoc subcommittees to jointly meet to resolve any outstanding and unresolved issues relative to the renewal of the agreements. The two ad-hoc subcommittees did not meet and in late 2017 both the District and the County ad-hoc subcommittee members asked for both agencies' staff to continue to work toward resolution. At the CEO's direction, in February 2018, the Chiefs from the Water Utility, Watersheds and External Affairs took over negotiations on behalf of the District.

In July of 2018, both District and County staff reached consensus on all areas of the proposed agreements.

Overview of Proposed Agreements

District and County Parks staff have come to agreement on the following documents:

- A Joint Resolution (Attachment 1) of shared principles that is intended to frame the District-County land use relationship for existing and future agreements and interactions relating to County parkland and District properties. These Shared Principles shall be re-evaluated every five years so that the District and County may determine whether to update or revise the Shared Principles which shall only be done by approval of both the County's Board of Supervisors and

the District's Board of Directors.

- A Memorandum of Agreement (Attachment 2) that is to set forth the terms and conditions, scope of work and responsibilities of the County and District associated with their collaboration in seeking mutually agreed upon opportunities to implement the Shared Principles.
- A Master License Agreement (Attachment 3) which provides a process for expedited review and approval of District and County Parks requests for temporary access permits on District/County Parks properties
- A Master Partnership Agreement (Attachment 4), which will replace the Master Reservoir Lease and provide a new framework for how the District and County Parks collaborate on recreational uses of District property.

Notable Changes In New Agreements

The Master Partnership Agreement succeeds and replaces the Master Reservoir Lease. The Master Partnership Agreement provides a renewed commitment to partnership in the operation of District properties for public recreational use and makes the following key changes from the earlier Master Reservoir Lease:

- Incorporation of the new Shared Principles being considered by the Board today (Recitals; Appendix C);
- More detailed provisions regarding the District's ability to modify or suspend permitted recreational uses (par. 2(c)-(d));
- Upon termination or expiration of the agreement, the County shall not be required to remove County improvements from District property (Par. 2(f));
- Specified limitations regarding fish stocking (par. 4(e));
- The District is now responsible for repairing and replacing County Improvements damaged or removed by the District (e.g., as a result of District construction projects) (par. 4(h); (5(g));
- Specification that County has no obligation to undertake actions to address conditions resulting from low water levels (par. 4(o));
- Requirement that the District provide the County with annual notice of the scheduled operational levels for each reservoir on District Property for the remainder of the calendar year (par. 5(d));
- Requirement that the District engage the County early in conceptual and subsequent planning and design for projects (par. 5(e), 5(h));
- Working Groups and Process for Developing Written Protocols. To address issues that are current challenges for District and County Parks staff (e.g. water quality, fish stocking, fishing events) as well as for future issues that may arise, a process for working groups to establish written protocols is outlined so that these issues may be consistently addressed (par. 6);
- Requirement that the County comply with the District's mussel prevention program and the

Bay Area Consortium for zebra and quagga mussels coordinated prevention plan where boating and fish stocking are allowed (par. 7(c)(3));

- Specification that the parties will share the cost of repairs, maintenance, or improvements where they agree that items significantly relate to both the County's Permitted Recreational Uses and the District's uses of the Premises (par 8(b)(1));
- Specification that "where mutually agreed upon in writing by the Parties", the District may fund repairs, maintenance, or improvements to District Property for recreational uses (par. 8(b)(2));
- Specification that for Permitted Recreational Uses, the parties will look for opportunities to partner on projects of mutual interest (par. 11(a)); and
- Modification of the indemnification provisions to shift additional risk to the District.

FINANCIAL IMPACT:

There is no financial impact associated with the consideration of this item, however significant costs could be incurred by the District depending on the County of Santa Clara exercising certain terms within the agreement, the volume and nature of future claims or suits for damages by third-parties, and the scope of future District projects creating a need to repair or replace County improvements on District property.

CEQA:

Approval of the Joint Resolution, Memorandum of Agreement, and Master License Agreement is not subject to CEQA review pursuant to Section 15061(b)(3) of the CEQA Guidelines which states that "CEQA applies only to projects which have the potential for causing a significant effect on the environment."

A negative declaration (ND) was adopted by the District on September 10, 1996 before the 1996 Master Reservoir Lease was approved. Staff has determined that execution and implementation of the Master Partnership Agreement would not result in any new significant impact or a substantial increase in severity of a previously identified significant impact as disclosed in the ND. Thus, no further environmental review would be required and the District may rely on the adopted ND to approve the Master Partnership Agreement.

ATTACHMENTS:

Attachment 1: Joint Resolution
Attachment 2: Memorandum of Agreement
Attachment 3: Master License Agreement
Attachment 4: Master Partnership Agreement

UNCLASSIFIED MANAGER:

Rick Callender, 408-630-2017

Appendices available at: <https://scvwd.legistar.com>

**BOARD OF DIRECTORS
SANTA CLARA VALLEY WATER DISTRICT**

RESOLUTION NO. 21-

ESTABLISHING POLICY CRITERIA FOR PUBLIC TRAILS ON VALLEY WATER LANDS

WHEREAS Santa Clara Valley Water District (Valley Water) permits the use of its lands for appropriate public trails (Trail Projects) that are constructed, operated, and maintained by other public agencies and jurisdictions (Partner Agencies) through Joint Use Agreements with Valley Water; and

WHEREAS the Trails Policy Criteria (Policy Criteria) are evaluative standards that inform the Valley Water Board of Director's decision-making process for evaluating a Joint Use Agreement for a Trail Project; and

WHEREAS the Criteria ensure that Trail Projects support healthy communities, while maintaining operation of Valley Water facilities for water supply and flood control, sustaining water quality to meet regulatory standards, and meeting environmental objectives.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Santa Clara Valley Water District, that it shall not permit any joint use of Valley Water lands for public trails which do not meet the following Criteria:

1. **Planning and Public Outreach.** The Partner Agency with authority over the use, management, and policing of the Trail Project shall have completed a public planning and community outreach process prior to Valley Water's consideration of a Joint Use Agreement.
2. **Flood Protection.** Trail Projects, at a minimum, must not reduce existing or design levels of flood protection provided by a Valley Water facility both from operation and maintenance perspectives, adversely affect existing FEMA flood mapping, increase the extent of flooding or increase the frequency of flooding. Trail Projects must be compatible with planned Valley Water capital projects.
3. **Water Quality.** Trail Projects will be designed to minimize erosion and the flow of pollutants, including trash and litter, into aquatic environments. Pervious trail surfaces are preferred.
4. **Channel Stability.** Trail Projects, including any in-channel project components, must not adversely affect channel stability or cause or exacerbate existing erosion problems.
5. **Habitat Protection.** Construction and use of Trail Projects must not result in serious or major disturbance to biological resources, including aquatic, riparian, and wetland habitat, and the streamside ecosystem.
6. **Maintenance and Security.** Maintenance, policing, and management of the Trail Project is at the sole cost and responsibility of the Partner Agency. Removal or alteration of trail infrastructure for any reason, shall be at the cost of the Partner Agency.

7. **Valley Water Access.** The Trail Project must not limit or constrain Valley Water access to maintain and operate its facilities.
8. **Regulatory Compliance.** The Partner Agency is responsible for completing environmental review pursuant to the California Environmental Quality Act and obtaining all necessary regulatory permits prior to trail construction and use.

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by the following vote on October 12, 2021:

AYES: Directors

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

SANTA CLARA VALLEY WATER DISTRICT

TONY ESTREMER
Chair, Board of Directors

ATTEST: MICHELE L. KING, CMC

Clerk, Board of Directors

PUBLIC HEARING NOTICE

AMENDMENT OF THE WATER RESOURCES PROTECTION
MANUAL TO INCLUDE POLICY CRITERIA AND GUIDANCE
FOR PUBLIC TRAILS ON VALLEY WATER LAND

Topic: Public Trails on Valley Water Lands
Who: Santa Clara Valley Water District (Valley Water)
What: Public hearing to Consider Amendment of the Water Resources Protection Manual to Include Policy Criteria and Guidance for Public Trails on Valley Water Land
When: October 12, 2021, 1:00 p.m.
Where: Zoom Teleconference - <https://valleywater.zoom.us/j/83571086504>

The Policy Criteria and Guidance for Public Trails on Valley Water Lands (Policy Criteria and Guidance available online at <https://www.valleywater.org/learning-center/healthy-creels-and-ecosystems/public-trails-policy-criteria-and-guidance>) were developed to ensure that new trail projects proposed by partner agencies protect water resources and streamside ecosystems, while supporting healthy communities and engaging residents to promote water resources stewardship. The Policy Criteria are standards by which Valley Water staff and the Board of Directors may objectively evaluate the compatibility of proposed trails projects with Valley Water's water supply, flood protection, and environmental stewardship objectives. The Policy Criteria include Planning and Public Outreach, Flood Protection, Valley Water Operations, Habitat Protection, Trail Maintenance and Security, Water Quality, Channel Stability, and Regulatory Compliance.

In accordance with the Santa Clara Valley Water District Ordinance 83-2, the Water Resources Protection Ordinance, the Valley Water Board of Directors will consider the amendment of the Water Resources Protection Manual to include the Policy Criteria and Guidance.

This meeting is being held in accordance with the Brown Act. The Santa Clara Valley Water District's offices are closed to the public. The 1:00 p.m. October 12, 2021 public hearing will be held during a virtual Board Meeting accessible to the public at Zoom link <https://valleywater.zoom.us/j/83571086504>. Document(s) associated with this hearing are available for public inspection at www.valleywater.org.

For more information, contact Lisa Bankosh, Assistant Officer, at 408-630-2618.

Valley Water, 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 three business days before the scheduled District Board meeting to ensure that the District may assist you. Reasonable efforts will be made to accommodate persons with disabilities.

AVISOS IMPORTANTES

Esta reunión se lleva a cabo según la Ley Brown Act. Las oficinas del Santa Clara Valley Water District están cerradas al público. La audiencia pública se llevará a cabo durante una Reunión Directiva virtual a la que el público puede acceder a través del link de Zoom de arriba. Los documentos asociados a esta audiencia están disponibles para la revisión del público en www.valleywater.org. Santa Clara Valley Water District, en cumplimiento con la Ley de Estadounidenses con Discapacidades (ADA), solicita que las personas que requieran adaptaciones especiales para acceder o participar a las Reuniones Directivas de Valley Water se comuniquen con el secretario de la oficina de la Junta al (408) 630-2711, al menos 3 días hábiles antes de la Reunión Directiva programada, para asegurarse de que el personal del Distrito pueda ayudarlas. Se realizarán esfuerzos razonables para proveer adaptaciones para las personas con discapacidades.

THÔNG BÁO QUAN TRỌNG

Cuộc họp này sẽ được tổ chức theo Đạo luật Brown. Các văn phòng của Santa Clara Valley Water District đóng cửa không tiếp dân. Phiên điều trần công khai sẽ được tổ chức trong Cuộc Họp Hội Đồng Quản Trị trực tuyến và công chúng có thể truy cập vào theo liên kết Zoom ở trên. Quý vị có thể xem các tài liệu liên quan đến phiên điều trần này tại www.valleywater.org cho mục đích kiểm tra công khai. Theo Đạo Luật Người Khuyết Tật của Mỹ (ADA), Santa Clara Valley Water District yêu cầu những cá nhân cần sự hỗ trợ đặc biệt để truy cập vào hoặc tham gia vào các cuộc họp Hội Đồng Quản Trị Của Cục Nước xin hãy liên hệ với thư ký văn phòng Hội Đồng Quản Trị theo số (408) 630-2711 ít nhất 3 ngày làm việc trước khi diễn ra cuộc họp Hội Đồng theo lịch để đảm bảo rằng nhân viên của Cục Nước có thể hỗ trợ quý vị. Chúng tôi sẽ nỗ lực thực hiện theo yêu cầu để hỗ trợ người khuyết tật.

重要通知

此次会议依据《国家紧急法案》、《与COVID-19相关的州紧急声明》以及2020年3月17日发布的M-29-20号州长行政命令而举行的《布朗法案》举行。Valley Water理事会议成员、Valley Water工作人员及社会公众可出席会议，并通过电话会议、电视会议或同时使用以上两种方式来参加该会议。按照《美国残疾人法案》（ADA）规定，Valley Water要求出席或参与Valley Water理事会议的特约媒体记者的个人，在理事会议之前至少三个工作日致电（408）630-2711，与理事会办公室工作人员联系，以确保Valley Water员工可以为需要帮助。

valleywater.org

Clean Water • Healthy Environment • Flood Protection

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**BOARD OF DIRECTORS
SANTA CLARA VALLEY WATER DISTRICT**

RESOLUTION NO. 21-

**AMENDING THE WATER RESOURCES PROTECTION MANUAL TO INCLUDE POLICY
CRITERIA AND GUIDANCE FOR PUBLIC TRAILS ON VALLEY WATER LANDS**

WHEREAS, on October 24, 2006, the Santa Clara Valley Water Board of Directors adopted the Water Resources Protection Manual by Resolution No. 06-75; and

WHEREAS, in accordance with Article 4.0 of the Water Resources Protection Ordinance of the Santa Clara Valley Water District (Valley Water), the Board of Directors (Board) desires to amend its Water Resources Protection Manual to include Policy Criteria and Guidance for Public Trails on Valley Water Lands; and

WHEREAS, at least ten days prior to the public hearing scheduled for October 12, 2021, a notice of said hearing was published in the *San Jose Mercury News*, a newspaper of general circulation printed and published within the County of Santa Clara on October 12, 2021; and

WHEREAS, a notice of the hearing was given to municipal corporations within the County of Santa Clara and to any parties who have requested such notice by first class mail and by posting the notice of the hearing at Valley Water headquarters building; and

WHEREAS, a public hearing was held on October 12, 2021, on the matter of whether the Valley Water Board should amend Valley Water's Water Resources Protection Manual to include Policy Criteria and Guidance for Public Trails on Valley Water Lands; and

WHEREAS, at said hearing, all persons present were given an opportunity to be heard by the Board; and

WHEREAS, the Board heard and considered public testimony, staff's presentation, and other evidence presented at said hearing; and

WHEREAS, Valley Water desires to implement standards to provide a reliable supply of healthy and clean water, reduce flood risk, protect, enhance, and restore natural resources of streams and watersheds, and provide trails and other compatible joint use of its lands; and

WHEREAS, the Water Resources Protection Manual contains streamside and facility protection requirements and recommendations, a design guide, and additional requirements for Valley Water encroachment permits; and

WHEREAS, the Policy Criteria and Guidance for Public Trails on Valley Water Lands will provide clear and objective standards to ensure trails projects are compatible with Valley Water's water supply, flood protection, and environmental stewardship objectives; and

WHEREAS, pursuant to Article 4.0 of the Water Resources Protection Ordinance, the Board may adopt or amend the Valley Water's Water Resources Protection Manual by resolution upon the conclusion of the public hearing.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Santa Clara Valley Water District:

1. That the Water Resources Protection Manual is hereby amended to incorporate the Policy Criteria and Guidance for Public Trails on Valley Water Lands, attached hereto as Exhibit A, to be used in the evaluation of encroachment permit applications for trails projects, and establishment of permit conditions.
2. That Section XI. Trail Construction, Chapter 1 of the WRPM shall be amended to state as follows:

Public trail projects proposed on Valley Water Lands shall be evaluated based on the following Policy Criteria:

- A. **Planning and Public Outreach.** The Partner Agency with authority over the use, management, and policing of the Trail Project shall have completed a public planning and community outreach process prior to Valley Water's consideration of a Joint Use Agreement.
- B. **Flood Protection.** Trail Projects, at a minimum, must not reduce existing or design levels of flood protection provided by a Valley Water facility both from operation and maintenance perspectives, adversely affect existing FEMA flood mapping, increase the extent of flooding or increase the frequency of flooding. Trail Projects must be compatible with planned Valley Water capital projects.
- C. **Water Quality.** Trail Projects will be designed to minimize erosion and the flow of pollutants, including trash and litter, into aquatic environments. Pervious trail surfaces are preferred.
- D. **Channel Stability.** Trail Projects, including any in-channel project components, must not adversely affect channel stability or cause or exacerbate existing erosion problems.
- E. **Habitat Protection.** Construction and use of Trail Projects must not result in serious or major disturbance to biological resources, including aquatic, riparian, and wetland habitat, and the streamside ecosystem.
- F. **Maintenance and Security.** Maintenance, policing, and management of the Trail Project is at the sole cost and responsibility of the Partner Agency. Removal or alteration of trail infrastructure for any reason, shall be at the cost of the Partner Agency.
- G. **Valley Water Access.** The Trail Project must not limit or constrain Valley Water access to maintain and operate its facilities.
- H. **Regulatory Compliance.** The Partner Agency is responsible for completing environmental review pursuant to the California Environmental Quality Act and obtaining all necessary regulatory permits prior to trail construction and use.

Amending the Water Resources Protection Manual to Include Policy Criteria and Guidance for
Public Trails on Valley Water Lands Resolution No. 21-

Recommendations:

1. Review Design Guide 16. Guidance for Trail Design, Chapter 3 of the WRPM to initially determine if trail proposals can meet the Trail Criteria and Guidance, and consult with Valley Water early in the planning process if a trail is pursued.
2. That Design Guide 16. Guidance for Trail Design, Chapter 3 be amended to replace the existing text in its entirety with contents of the Guidance for Public Trails on Valley Water Lands, attached hereto as Exhibit A, and that the remainder of the WRPM be repaginated and reformatted accordingly.

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by the following vote on October 12, 2021:

AYES: Directors

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

SANTA CLARA VALLEY WATER DISTRICT

TONY ESTREMER
Chair, Board of Directors

ATTEST: MICHELE L. KING, CMC

Clerk, Board of Directors

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Valley Water

Clean Water • Healthy Environment • Flood Protection

Public Trails on Valley Water Lands – Policy Criteria and Guidance

September 12, 2021

Trail Policy Criteria and Guidance

- Purpose and Need
- Goals of Policy Criteria and Guidance
- Goals of Public Outreach
- Public Outreach Process
- Criteria and Guidance
- Resolutions to Adopt Criteria and Guidance



Valley Water

Clean Water • Healthy Environment • Flood Protection



Purpose and Need

Valley Water Supports Trails and Access to Open Space

District Act

Resolution 72-44: Recreational Use

Resolution 74-38: Joint Use



Purpose and Need

What is compatible?



- Water storage
- Levees and floodwalls
- Flood flow capacity
- Aquifer recharge
- Mitigation

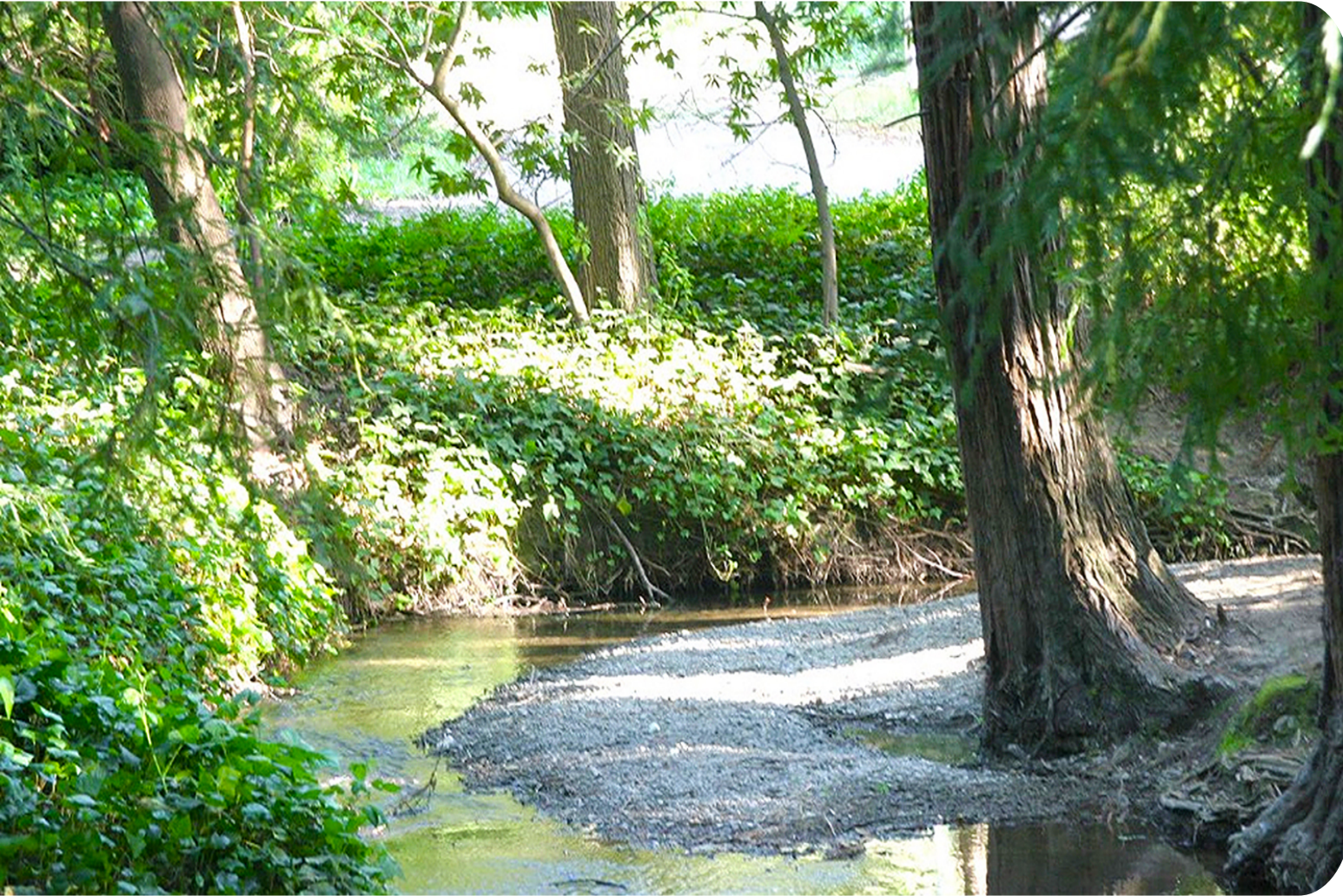


- Sediment Removal
- Levee and Bank Repair
- Vegetation management



- Water Quality
- Habitat Protection
- Restoration and Enhancement

Goals of the Policy Criteria and Guidance



- Provide clear standards to evaluate trails projects
- Clarify roles and responsibilities of Valley Water and Partner Agencies
- Define a collaborative process

Public Outreach Process



Valley Water

Clean Water • Healthy Environment • Flood Protection

Spring/Summer

Goals of Public Outreach

Awareness

Education

Expertise

Input

Policy Criteria Valley Water Operations

Trail Projects must not limit or constrain Valley Water access to maintain and operate



Importance of Riparian Habitat to Preserving Biodiversity

San Francisco Bay Area is a hotspot of biodiversity within CA and the US

80% of all animals use riparian resources and habitats at some life stage

nest in riparian habitats
threatened or rare species use SC



YOUR
INPUT IS
NEEDED

Take our survey now

Valley Water Does Not Plan, Construct or Operate Trails.

Policy Criteria Planning and Public Outreach

Partner Agency is
responsible for conducting:

- Public Planning Process
- Community Outreach
- Stakeholder Engagement



Policy Criteria Flood Protection

Trail Projects must not:

- Reduce existing or design levels of flood protection
- Adversely affect existing FEMA flood mapping,
- Increase flooding or the frequency of flooding.



Policy Criteria Valley Water Operations

Trail Projects must not limit or constrain Valley Water access to maintain and operate its facilities.



Policy Criteria Valley Water Operations

- Sediment Removal
- Maintaining Native Plant Mitigation Sites
- Erosion Repair
- Vegetation Management
- Trails must be designed to withstand access by heavy equipment.



Neighborhood Work 2017
Calabazas Creek Sediment Removal

What: The Santa Clara Valley Water District will remove sediment from Calabazas Creek in the cities of Sunnyvale and Santa Clara. Crews will use excavators, dump and crew trucks and small loaders. Expect typical construction noise and dust during work hours.


When: September to November*
Work hours are 8 a.m. to 4 p.m., Monday through Friday and possibly Saturdays in case of delays.

Where: Between Tasman Drive and upstream of Highway 101.

*Project start dates and duration may vary due to site conditions and equipment availability.

Jay Lee
(408) 630-2231
jay@scvvalleywater.org

For more information on the Stream Maintenance Program visit the GFI code at: <http://caltransweb.org/Service/StreamMaintenanceProgram.aspx>



Policy Criteria

Habitat Protection

Trail Construction and Use must not result in serious or major disturbance to biological resources, including aquatic, riparian and wetland habitats, and the streamside ecosystem.

- Sensitive Trail Siting and Design
- Maintain Native Tree Canopy
- Protective Design Features
- Enhancement of Existing Habitat





JUA Application requires:

- Biological Resources Assessment
- VW Habitat Protection Criteria may not align with CEQA thresholds or other state and federal permitting regulations
- Trail Projects may clear CEQA and not be suitable for development on Valley Water lands



Policy Criteria Trail Maintenance and Security

Maintenance, patrolling, and management of the trail is at the sole cost and responsibility of the Partner Agency. JUA Application requires:

- O & M Plan and a Commitment to Fund these costs for the life of the trail
- Partner Agency to remove a trail for Flood Control Improvements



Policy Criteria

Channel Stability

Trail Projects, including any in-channel features, must not adversely affect channel bank or bed stability or cause or exacerbate existing erosion problems.

- Trail Ramps and Underpasses
- Pedestrian/Bicycle Bridges
- Restoration Structures



Policy Criteria

Water Quality

Trail Projects must be designed to:

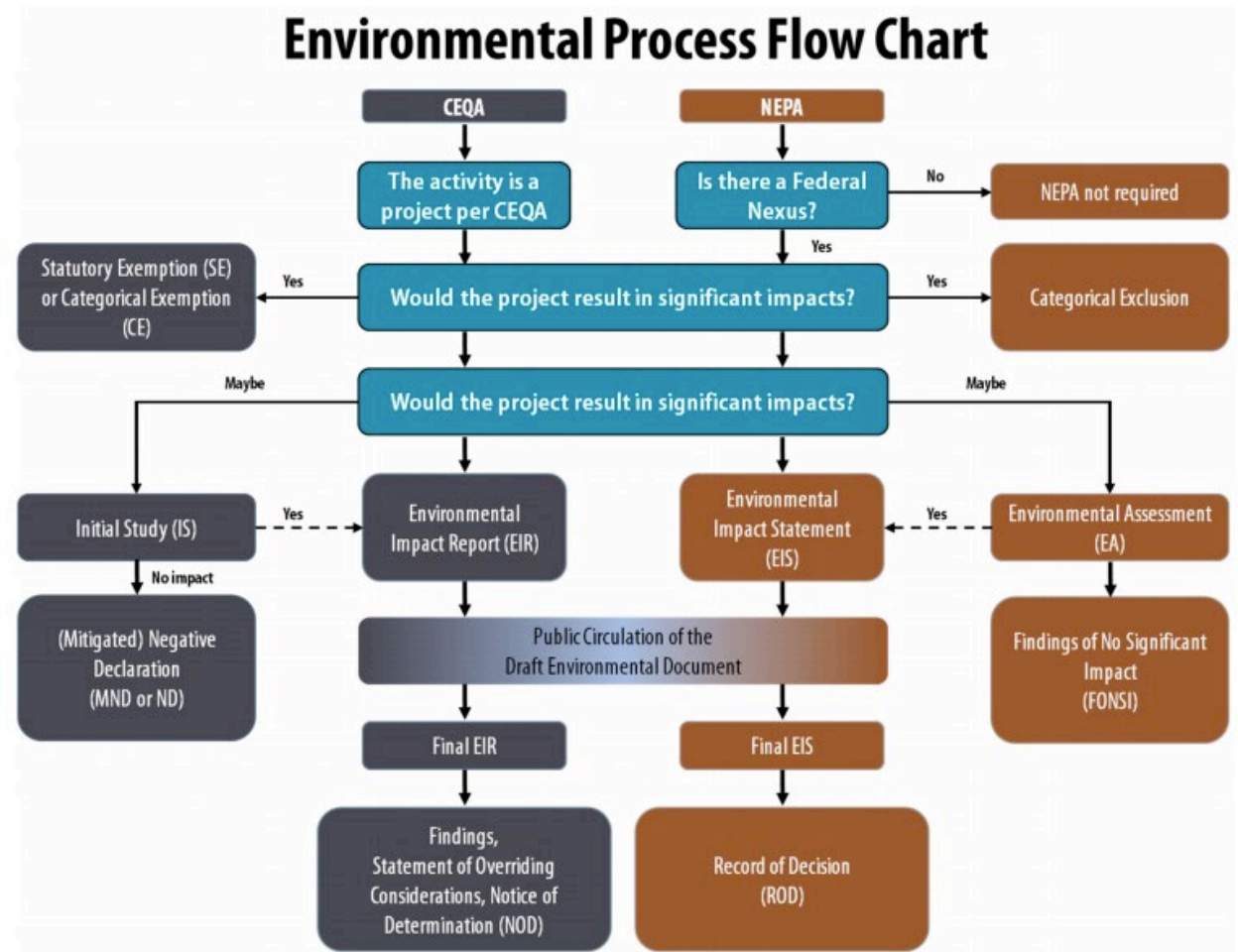
- Minimize erosion
- Reduce the flow of pollutants, including trash and litter, into the creeks



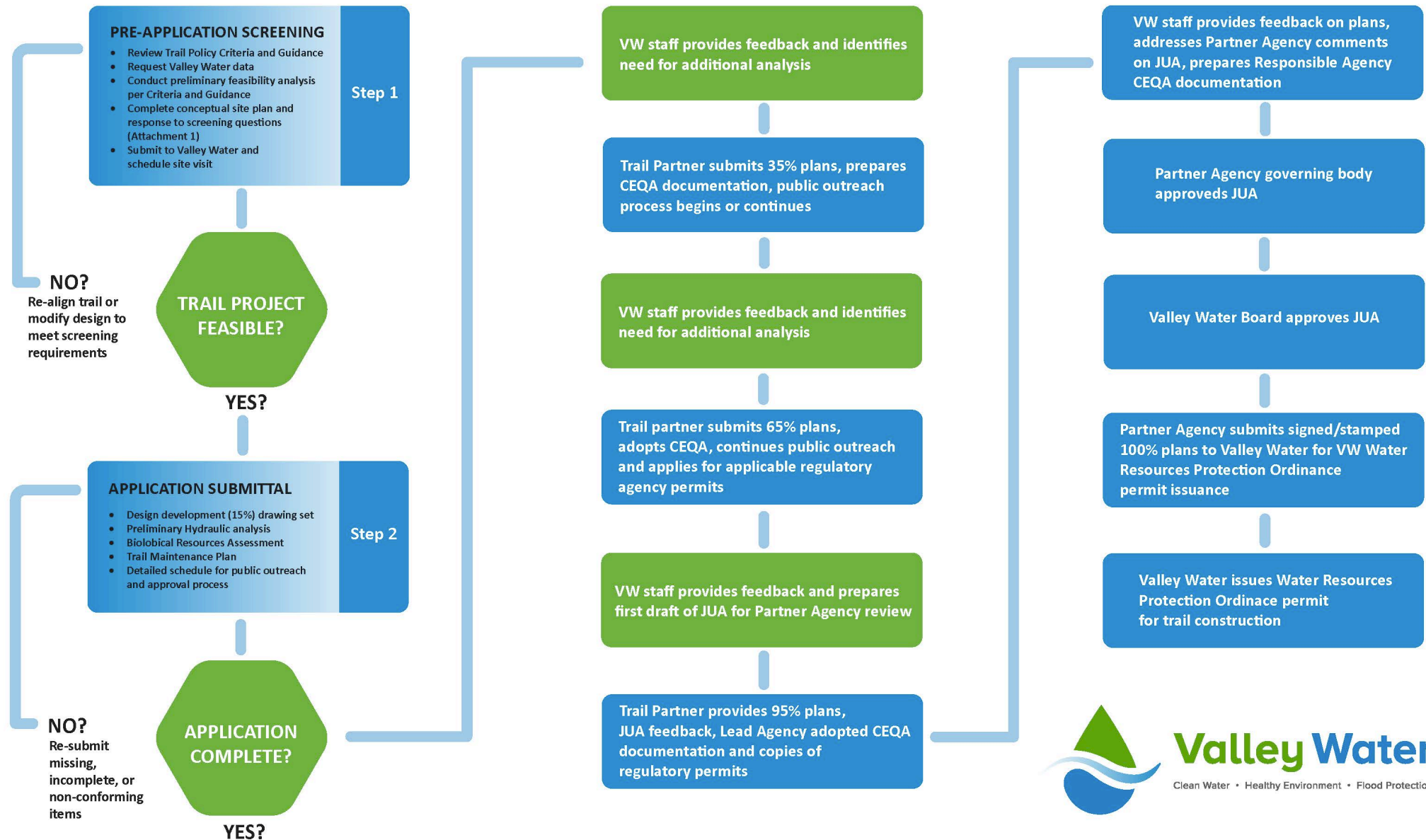
Policy Criteria Regulatory Compliance

Partner Agency is responsible for:

- Environmental review pursuant to the California Environmental Quality Act (CEQA)
- Obtaining all necessary regulatory permits



Guidance to meet the Criteria – JUA Process



Valley Water

Clean Water • Healthy Environment • Flood Protection

Guidance to meet the Criteria – Habitat Protection

New construction of trails or trail segments within wetlands or parallel to waterways within riparian habitat shall be avoided, and an appropriate buffer provided where feasible

Access areas to the waterway or riparian habitat for interpretive/educational purposes, designed to minimize impacts to habitat, **are encouraged.**

Trail Projects shall be located along **existing access roads or within other previously-disturbed areas**, and shall be generally limited to one side of the waterway.

Trail Projects **shall avoid removal or substantial pruning of native trees**, and seek an alignment that maintains a contiguous tree canopy

Habitat enhancement may be incorporated into the design or Trail Projects to offset adverse effects and create an **overall beneficial impact** on habitat quality.

Recommendations

- A. Consider the January 25, 2021 Board Policy and Planning Committee recommendation to approve the Policy Criteria and Guidance for Public Trails on Valley Water Lands;
- B. Adopt the Resolution ESTABLISHING POLICY CRITERIA FOR PUBLIC TRAILS ON VALLEY WATER LANDS;
- C. Open the Public Hearing to Consider Amendment of the Water Resources Protection Manual to Include the Policy Criteria and Guidance for Public Trails on Valley Water Lands;
- D. Close the Public Hearing; and
- E. Adopt the Resolution AMENDING THE WATER RESOURCES PROTECTION MANUAL TO INCLUDE POLICY CRITERIA AND GUIDANCE FOR PUBLIC TRAILS ON VALLEY WATER LANDS.

An aerial photograph of a park area. On the left, a river flows through a lush green forest. A paved path curves along the right side of the river, with two people walking on it. In the background, a city skyline is visible through the trees. The word "Questions?" is overlaid in large, bold, black text in the center of the image.

Questions?



Valley Water

Clean Water • Healthy Environment • Flood Protection



Santa Clara Valley Water District

File No.: 21-1019

Agenda Date: 10/12/2021

Item No.: *2.9.

BOARD AGENDA MEMORANDUM

SUBJECT:

Receive Information on the Downtown San Jose West Mixed-Use Plan (Downtown Google Project) (PREVIOUSLY LISTED AS ITEM 2.7).

RECOMMENDATION:

Receive information on opportunities and challenges related to the Downtown San Jose West Mixed-Use Plan (Downtown Google Project).

SUMMARY:

The Downtown West Mixed-Use Plan (Downtown Google Project) is located on approximately 80 acres in the western portion of the City of San Jose (City), in the area generally bounded by the Union Pacific Railroad tracks to the north; Los Gatos Creek and the Guadalupe River to the east; and Diridon Station to the west. It also includes the area just south of the Arena Green, bounded by Los Gatos Creek and the Guadalupe River to the west and east, respectively (reference Attachment 1, Project Map). The Downtown West Mixed-Use Plan was approved by the City on May 25, 2021 and is anticipated to begin construction in 2023.

The Downtown Google Project will construct up to 5,900 residential units; 7,300,000 sq ft of office space; 500,000 sq ft of active uses such as retail, cultural, arts, etc.; 300 hotel rooms; and approximately 15 acres of open space. Proposed infrastructure improvements include replacement of the San Fernando Street Bridge; construction of a new pedestrian bridge over Los Gatos Creek, multi-use trails along the creek, upsizing an outfall that discharges to Los Gatos Creek, and utilities crossing Los Gatos Creek; and a new private roadway along the Guadalupe River, which will require permits and agreements with Santa Clara Valley Water District (Valley Water). The Project also proposes to implement aesthetic and riparian plantings along the two waterways and flow conveyance improvements within Los Gatos Creek, which will require mitigation and long-term maintenance.

A joint presentation with Google representatives will be provided to highlight the opportunities and challenges for Valley Water related to the Project. Presentation materials will be provided via Supplemental Memorandum, and will be published on October 8, 2021.

FINANCIAL IMPACT:

There is no financial impact associated with this item.

CEQA:

The recommended action does not constitute a project under CEQA because it does not have a potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

ATTACHMENTS:

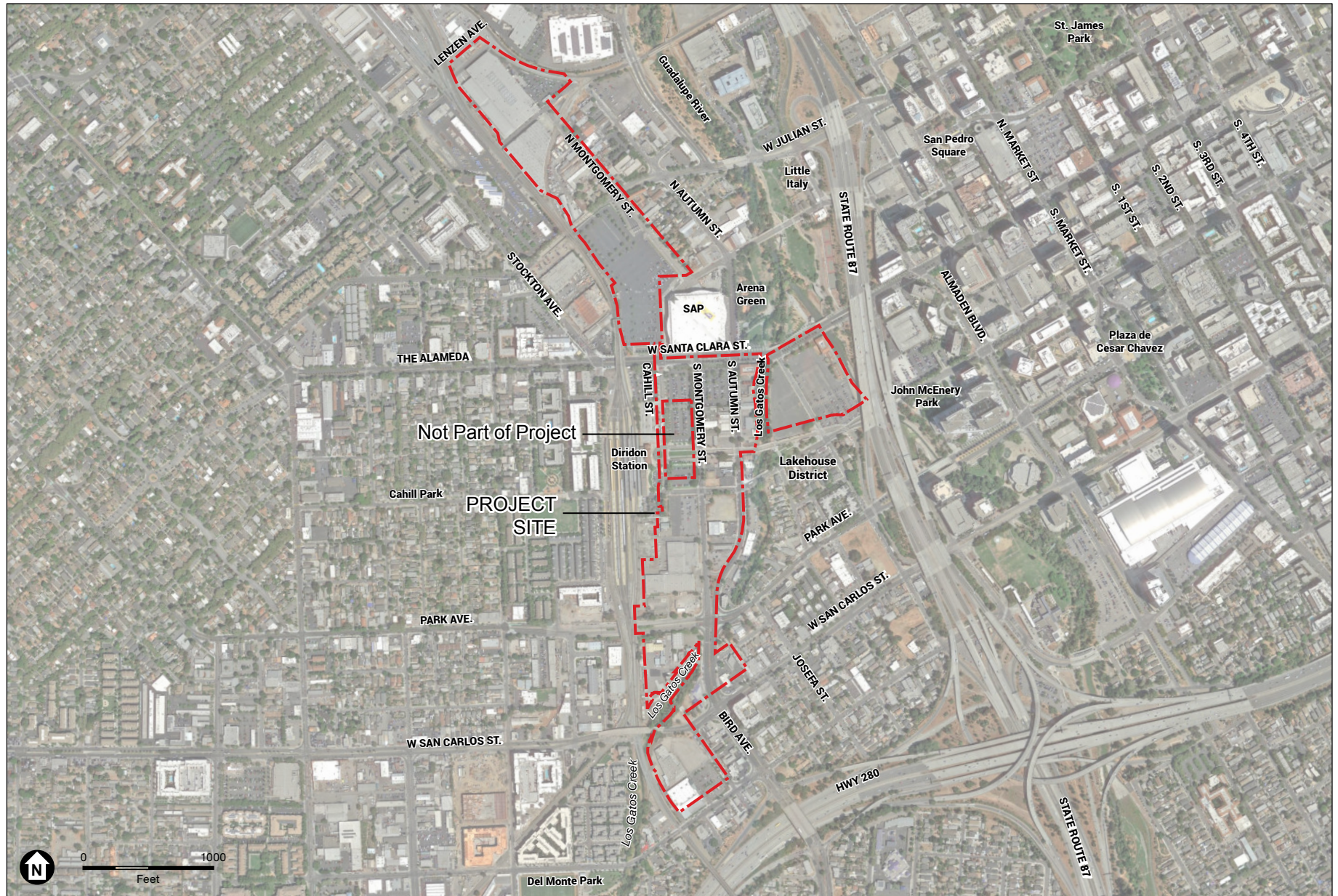
Attachment 1: Project Map

*Handout 2.9-A: Google Staff PowerPoints

UNCLASSIFIED MANAGER:

Sue Tippetts, 408-630-2253

Attachment 1 Project Map



SOURCES: Google LLC and SITELAB, Downtown Mixed Use Plan DEIR,
City Of San Jose 2020

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Google

Downtown West & Los Gatos Creek

Valley Water - Board of Directors

October 12, 2021

San José

History of Our Work

Mountain View & Sunnyvale

1) Permanente Creek Enhancement



2) Stevens Creek Trailhead

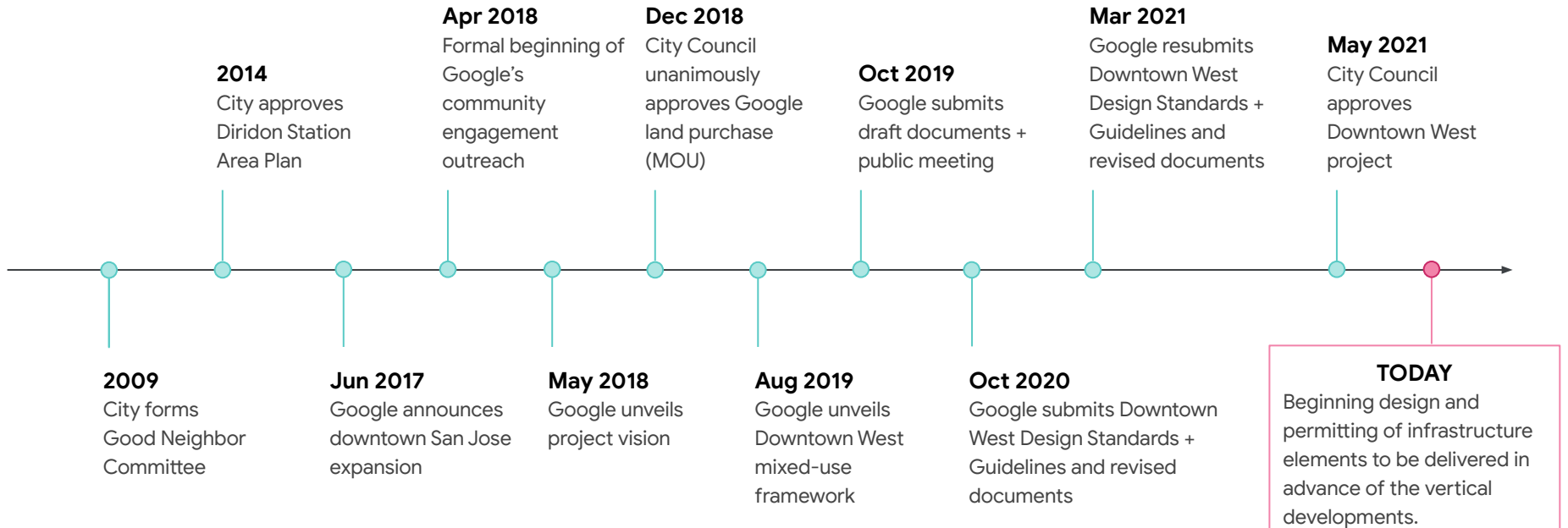


3) Bay Trail Phase IV Improvements



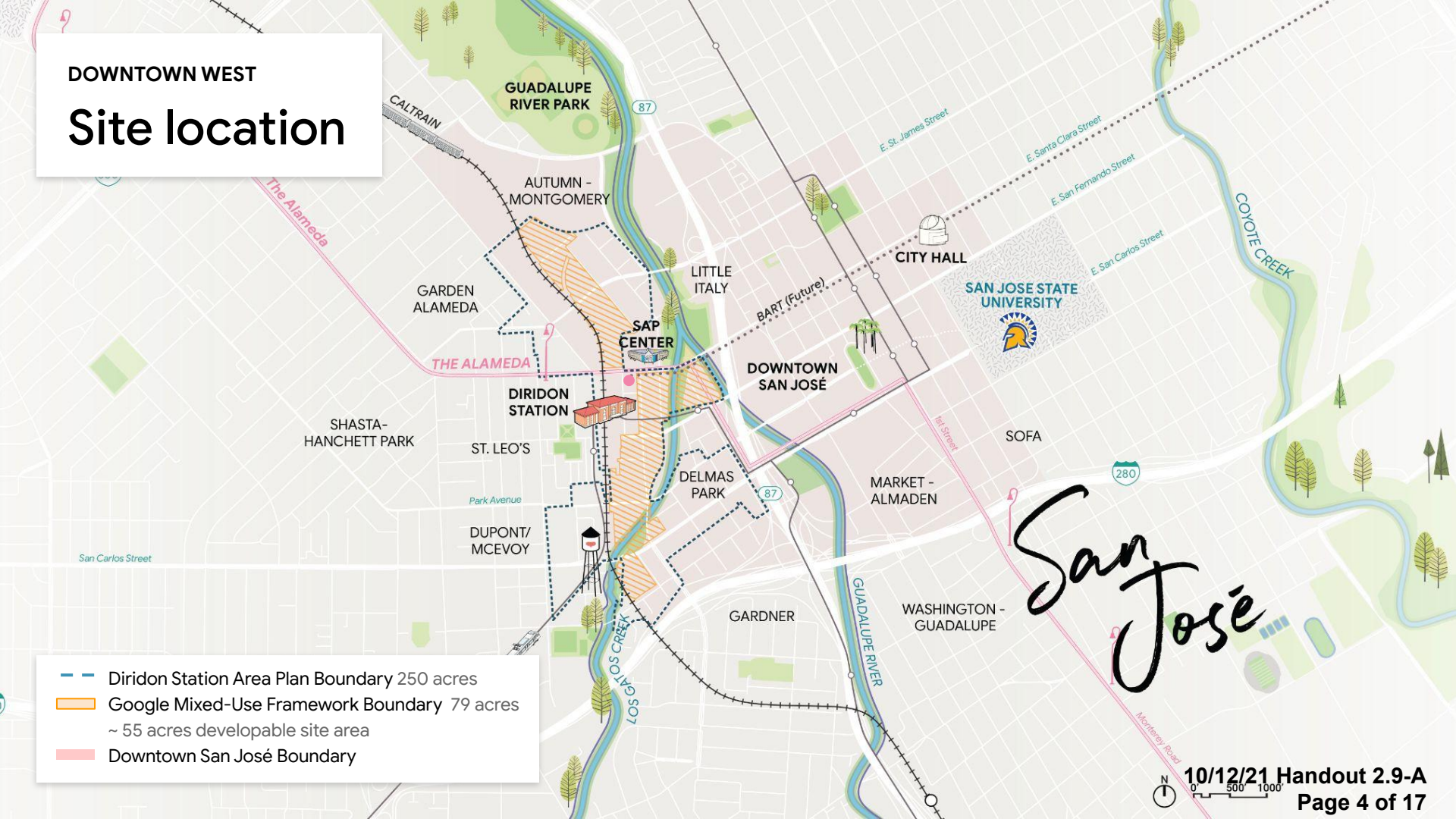
4) West Channel Enhancement
10/12/21 Handout 2.9-A

Building on a decade of engagement and planning



DOWNTOWN WEST

Site location



- Diridon Station Area Plan Boundary 250 acres
- Google Mixed-Use Framework Boundary 79 acres
~ 55 acres developable site area
- Downtown San José Boundary



An extension of Downtown



DOWNTOWN WEST

Framework Plan



Building on San José's diversity and vibrancy



*Artist conceptual rendering, subject to change

Restoration of nature



*Artist conceptual rendering, subject to change

Restoration of nature

Los Gatos Creek Proposed Work:

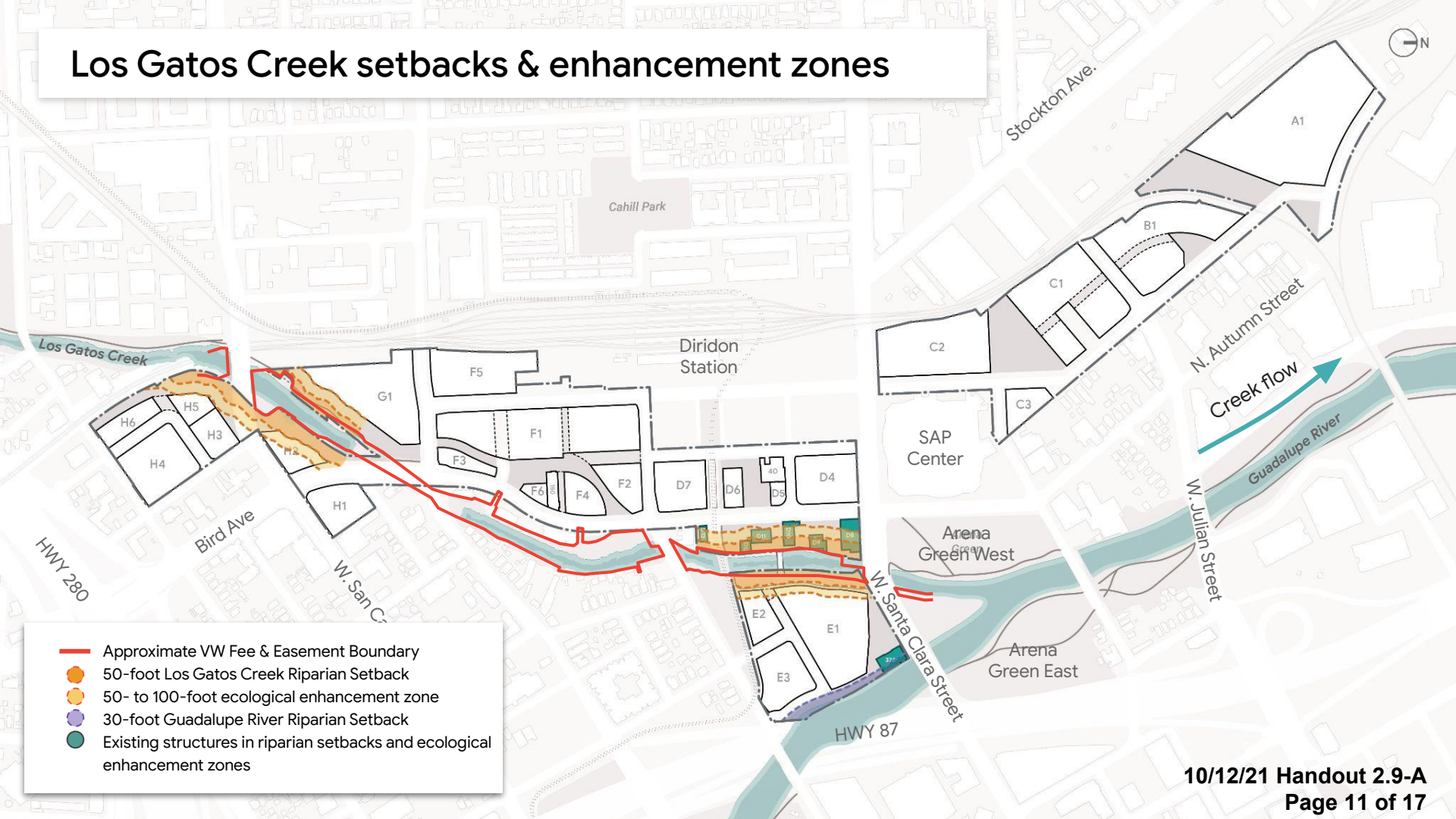
- Improved Flow Conveyance with clear span structure at San Fernando Street Bridge
- Remove concrete and debris from creek
- Habitat mitigation, including engineered structures to enhance fish habitat
- Pedestrian Bridge
- Creek Trail extensions
- Stream maintenance for an initial period of time

*Artist conceptual rendering, subject to change

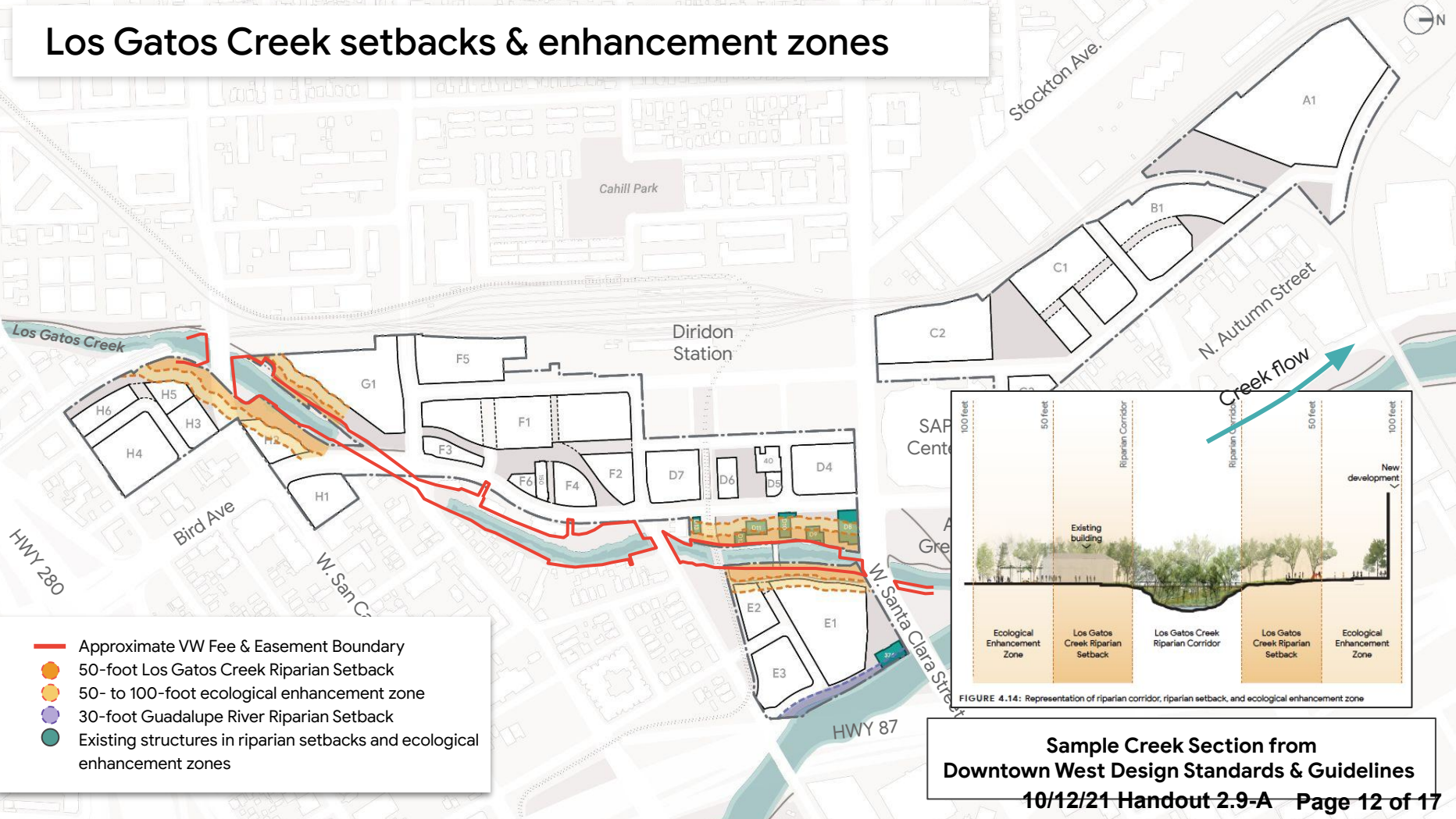
Existing conditions vary widely along the creek



Los Gatos Creek setbacks & enhancement zones



Los Gatos Creek setbacks & enhancement zones



Los Gatos Creek improvements overview

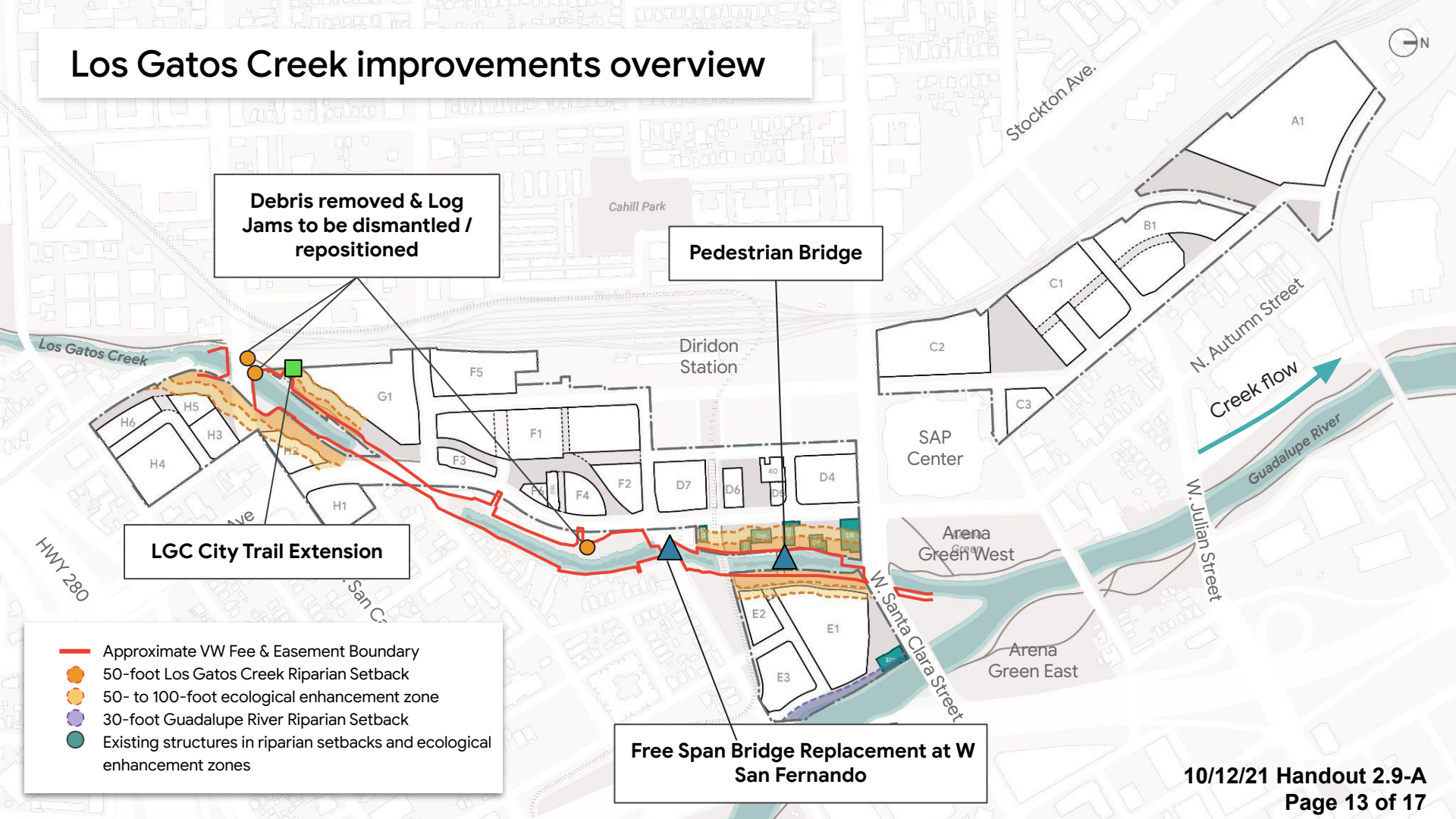
Debris removed & Log Jams to be dismantled / repositioned

Pedestrian Bridge

LGC City Trail Extension

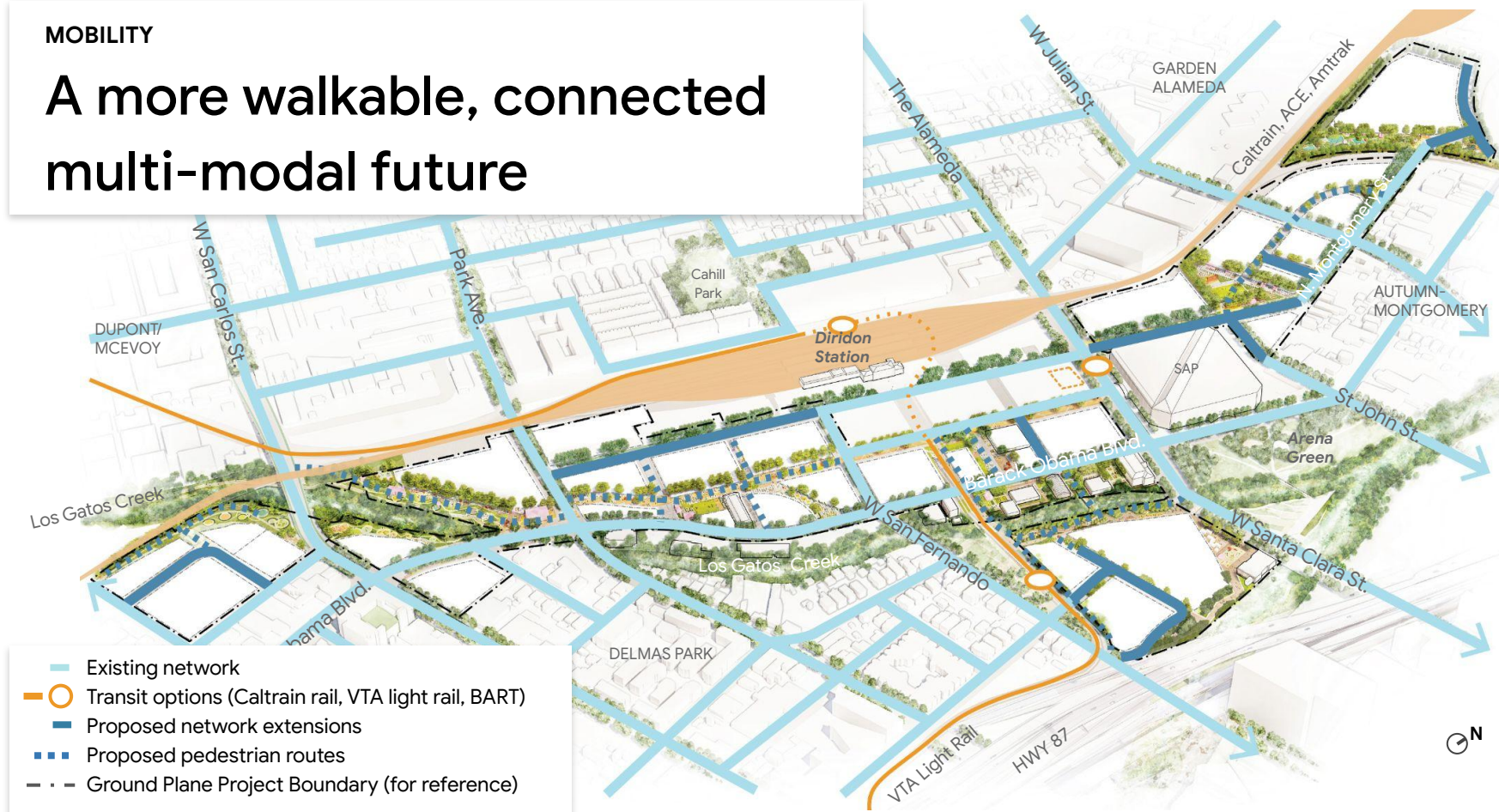
Free Span Bridge Replacement at W San Fernando

- Approximate VW Fee & Easement Boundary
- 50-foot Los Gatos Creek Riparian Setback
- 50- to 100-foot ecological enhancement zone
- 30-foot Guadalupe River Riparian Setback
- Existing structures in riparian setbacks and ecological enhancement zones



MOBILITY

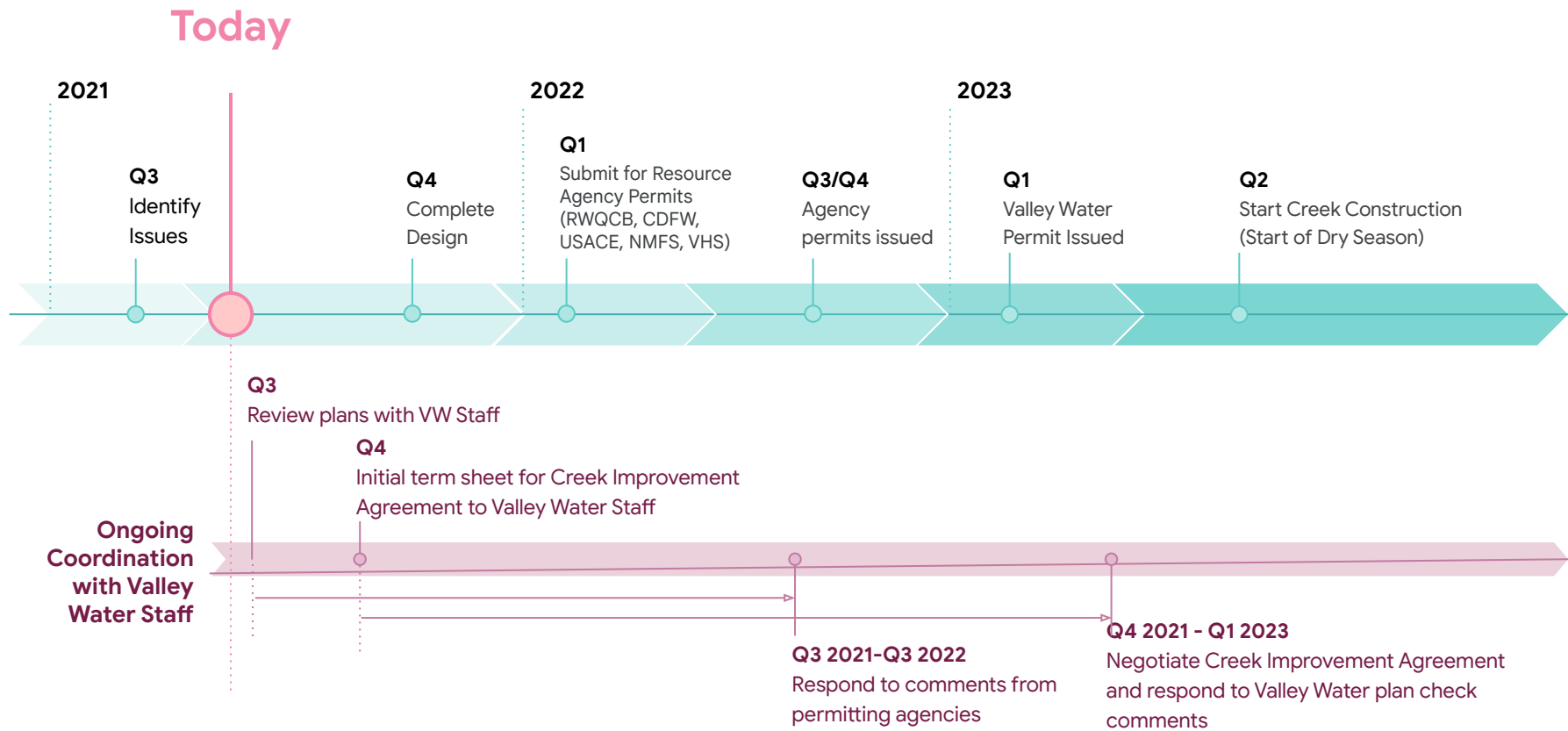
A more walkable, connected multi-modal future



A more walkable, connected multi-modal future



ANTICIPATED TIMELINE FOR VALLEY WATER APPROVAL OF LOS GATOS CREEK





Thank You

Google

San José

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Santa Clara Valley Water District

File No.: 21-1013

Agenda Date: 10/12/2021

Item No.: *2.10.

BOARD AGENDA MEMORANDUM

SUBJECT:

Monthly Drought Emergency Response and Water Supply Update (PREVIOUSLY LISTED AS ITEM 2.8).

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.

SUMMARY:

On June 9, 2021, the Board declared a water shortage emergency condition pursuant to California Water Code §350, that called for water use restrictions of 15% compared to 2019 and urged the County to proclaim a local emergency.

Reflecting critically dry conditions across the state, Valley Water has received drastic reductions in imported water allocations, which comprise about half of Valley Water's typical annual water supply. Furthermore, Valley Water is impacted by the unavailability of Anderson Reservoir as a surface water storage facility for the duration of the Anderson Dam Seismic Retrofit Project, which is expected to last 10 years. The loss of Anderson, lower imported water supplies, and uncertainty over emergency water transfers could result in rapid and significant drops to our groundwater levels, resulting in the potential for subsidence in North County and dry wells throughout the county. In South County, groundwater is the only drinking water supply.

Valley Water has been conducting a wide array of efforts to respond to the drought and the resulting water shortage emergency condition. These efforts along with the latest water supply condition in the County will be described in current month's Water Tracker Report and Drought Response Report.

These reports will be added in the 3-day supplemental agenda item.

FINANCIAL IMPACT:

There are adequate funds in the Adopted FY 2021-22 Budget and Water Utility Enterprise (WUE) reserves to carry out the operations described in this memo. There are adequate funds in the Safe Clean Water Program to carry out the expansion of Landscape Rebate Program in addition to the ongoing Water Utility funded water conservation program efforts. With the rebate amount increase,

additional staffing resources are needed to support the expanded conservation program. A budget adjustment from WUE reserves for these additional resource needs may be brought to the Board in FY 2021-22.

CEQA:

The recommended action does not constitute a project under CEQA because it does not have a potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

ATTACHMENTS:

- *Supplemental Agenda Memo
- *Supplemental Attachment 1: PowerPoint
- *Supplemental Attachment 2: Drought Response Report
- *Supplemental Attachment 3: October 2021 Water Tracker

UNCLASSIFIED MANAGER:

Aaron Baker, 408-630-2135



Santa Clara Valley Water District

File No.: 21-1014

Agenda Date: 10/12/2021

Item No.: *2.10.

SUPPLEMENTAL BOARD AGENDA MEMORANDUM

SUBJECT:

Monthly Drought Emergency Response and Water Supply Update.

REASON FOR SUPPLEMENTAL MEMORANDUM:

This report conveys additional information received after the initial report was released, consistent with Executive Limitations Policy EL-7-10-5.

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.

SUMMARY:

Due to the time sensitivity the attachments were not ready at the time of the 10-day posting.

Attachments added: PowerPoint, Drought Response Report, and October 2021 Water Tracker

FINANCIAL IMPACT:

There is no change to the originally reported financial impact associated with this item.

CEQA:

No changes to CEQA.

ATTACHMENTS:

- *Supplemental Attachment 1: PowerPoint
- *Supplemental Attachment 2: Drought Response Report
- *Supplemental Attachment 3: October 2021 Water Tracker

UNCLASSIFIED MANAGER:

File No.: 21-1014

Agenda Date: 10/12/2021
Item No.: *2.10.

Aaron Baker, 408-630-2135



Monthly Drought Emergency Response and Water Supply Update

Valley Water Board Meeting

October 12, 2021

Presenter: Neeta Bijoor, Ph.D.

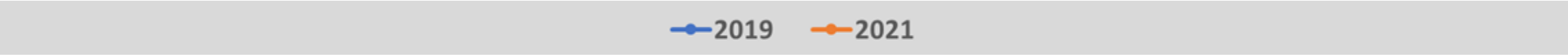
Retailer Actions

2

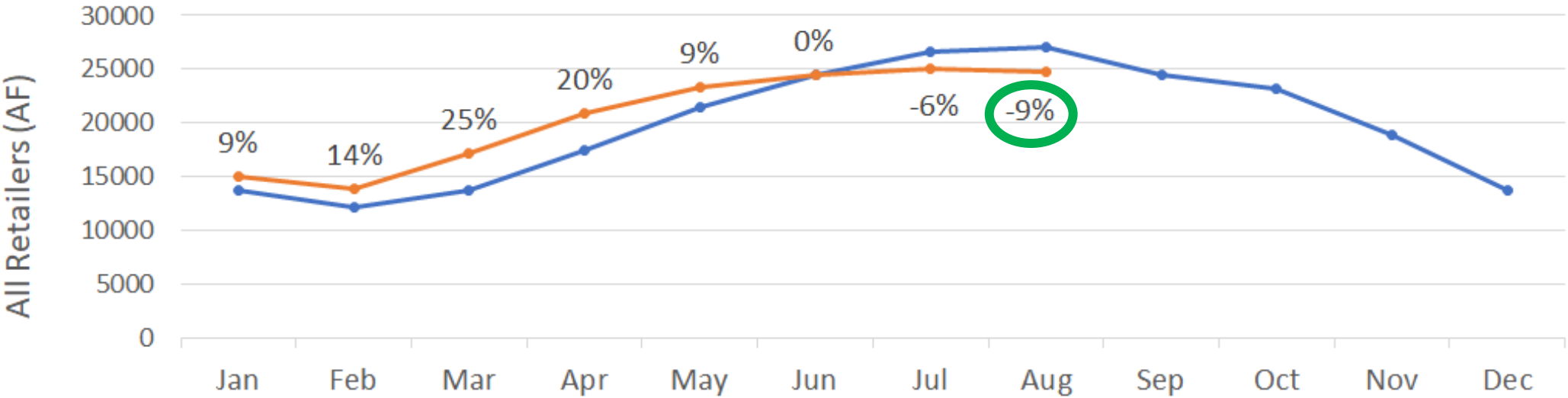
Investor-owned Water Retailers			
	San Jose Water Company (SJWC)	Great Oaks Water Company	California Water Service
Surcharge for Exceeding Drought Allocation	TBD if necessary	\$6.9804/CCF	TBD if necessary
Enforcement Structure for Violations of Water Waste Restrictions	1 st Offense: Written notice 2 nd Offense: Install flow restrictor	1 st Offense: Written notice 2 nd Offense (same restriction): \$25 fee Additional Offense (same restriction): \$25 more than previous fee	1 st Offense: Written notice & install real time water measurement device 2 nd Offense (same restriction): \$25 fee 3 rd Offense (same restriction): \$50 4 th Offense: Install flow restrictor

Steady drop in retailer water use compared to 2019

3



The percent increase (+) or percent decrease (-) in water use from 2019 to 2021 is shown for each month.

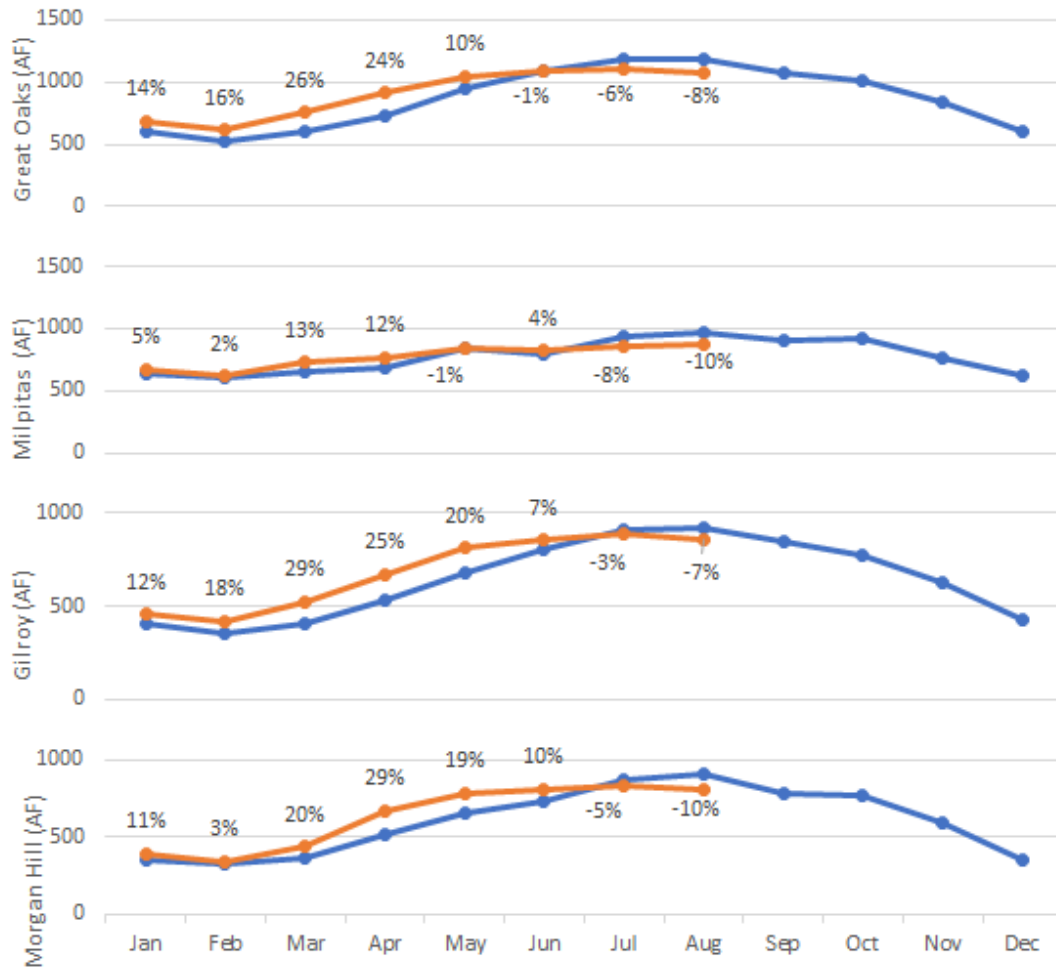
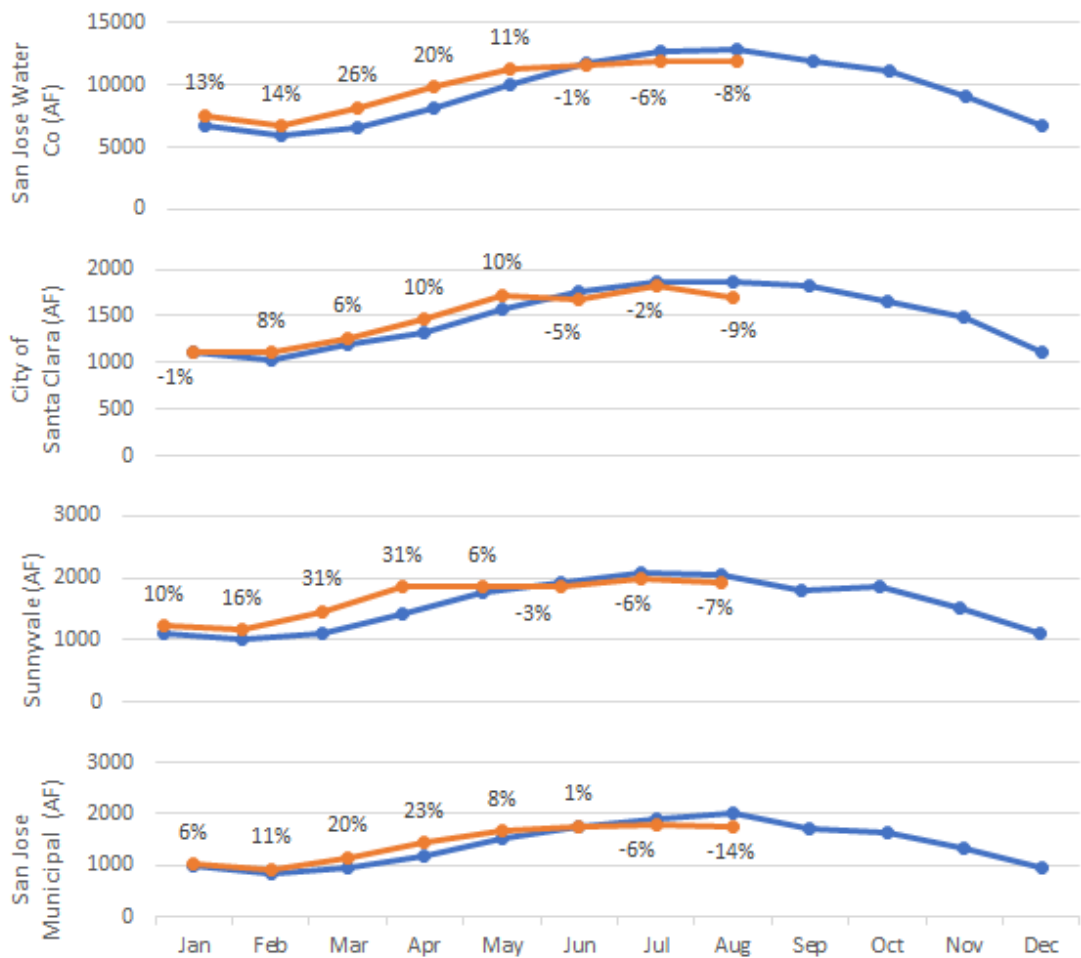


Most Retailers Continue to Make Progress in Water Use Reduction

4

2019 2021

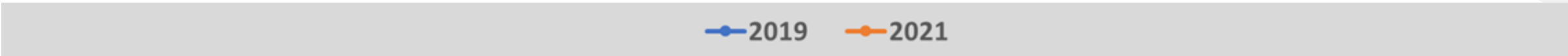
The percent increase (+) or percent decrease (-) in water use from 2019 to 2021 is shown for each month.



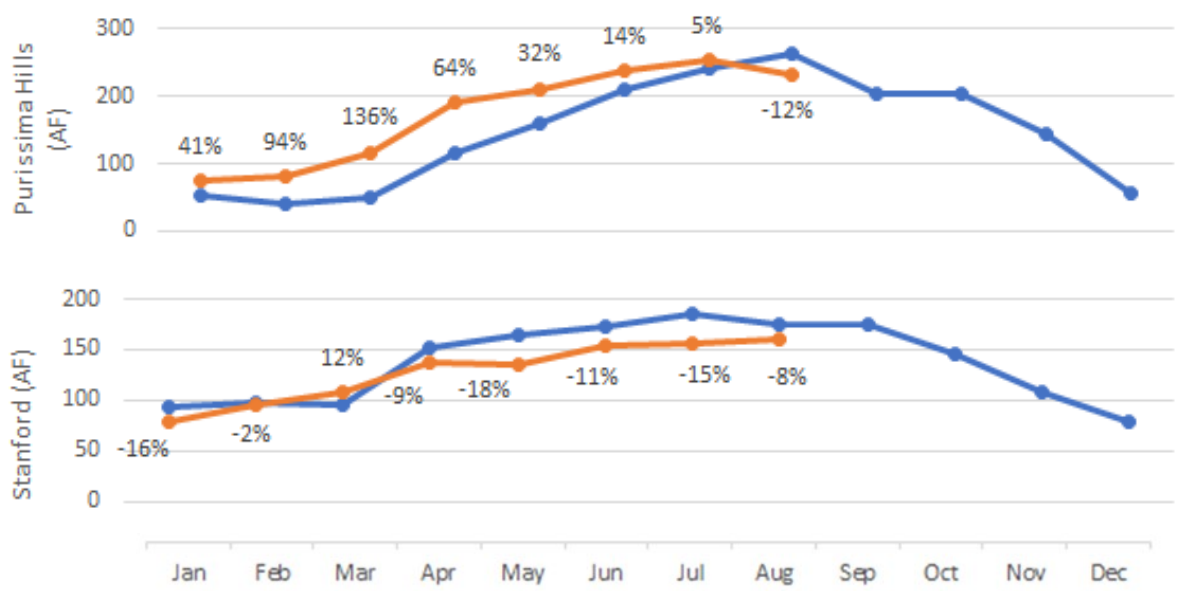
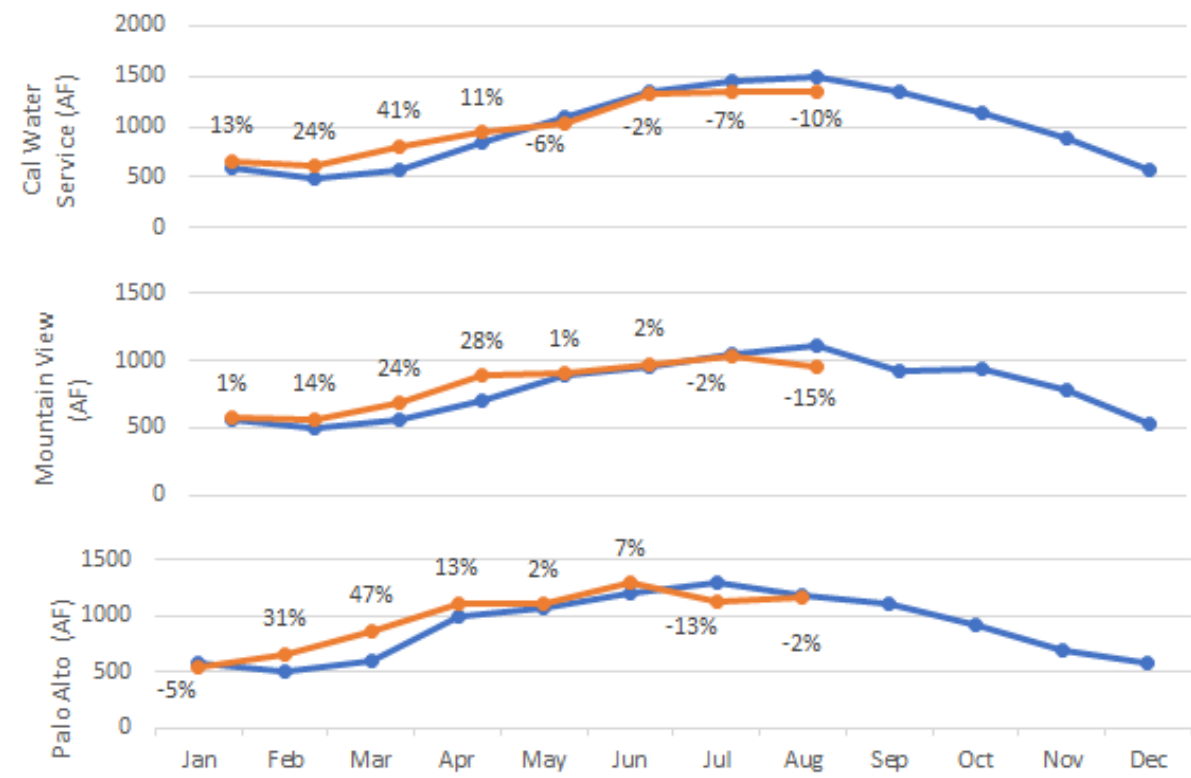
valleywater.org

Most Retailers Continue to Make Progress in Water Use Reduction (cont'd)

5



The percent increase (+) or percent decrease (-) in water use from 2019 to 2021 is shown for each month.



valleywater.org

Drought and Conservation Public Outreach

6

Multilingual digital, print, TV, radio, videos

Business advertorials and videos

Multilingual yard signs

Media outreach

Social media campaigns

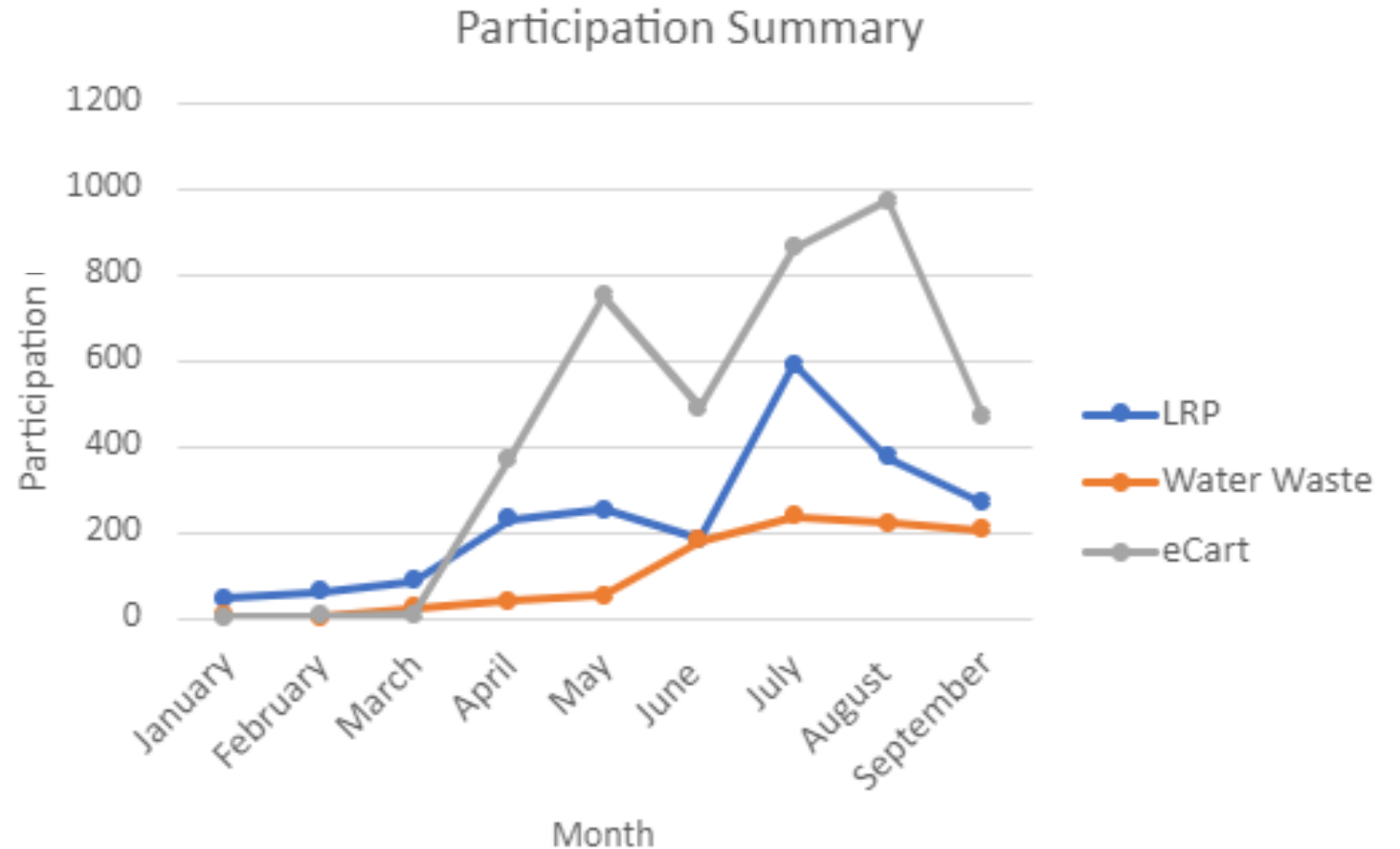
Water Ambassadors

Education



Water Conservation Programs

- Increased Participation
- Staffing Increase
- Sustainable Landscape Guidelines Handbook



Imported Water

State Water Project: 5% (5 TAF 2021)

Central Valley Project: (~71.5 TAF 2021)

0% Agriculture

25% Municipal & Industrial*

28,500 AF of Public Health & Safety Supplies*

*Conditionally approved

On track to have 58 TAF of transfers (~43 TAF after estimated losses) delivered in 2021.



San Luis Reservoir

Groundwater Conditions and Recharge

9

Groundwater Conditions

- Emergency imported water supplies and water use reduction have helped slow groundwater level declines
- Continued risk of subsidence, wells going dry in 2022 without additional conservation

Managed Recharge

- Scaled back in May 2021
- Increased in August 2021 due to additional imported water supplies



Stevens Creek Reservoir

State and Federal Coordination

10

State grant funding opportunities

U.S. Congress

- Drought Relief Funding



California Capitol



U.S. Capitol

Drought Summit

Elected officials, community leaders to address drought

Model Water Efficient New Development Ordinance (MWENDO)

SAVE-THE-DATE



Valley Water Drought Summit 2021
Saturday, October 23, 2021, 9:30 am-12:30 pm

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Drought Emergency Response Report

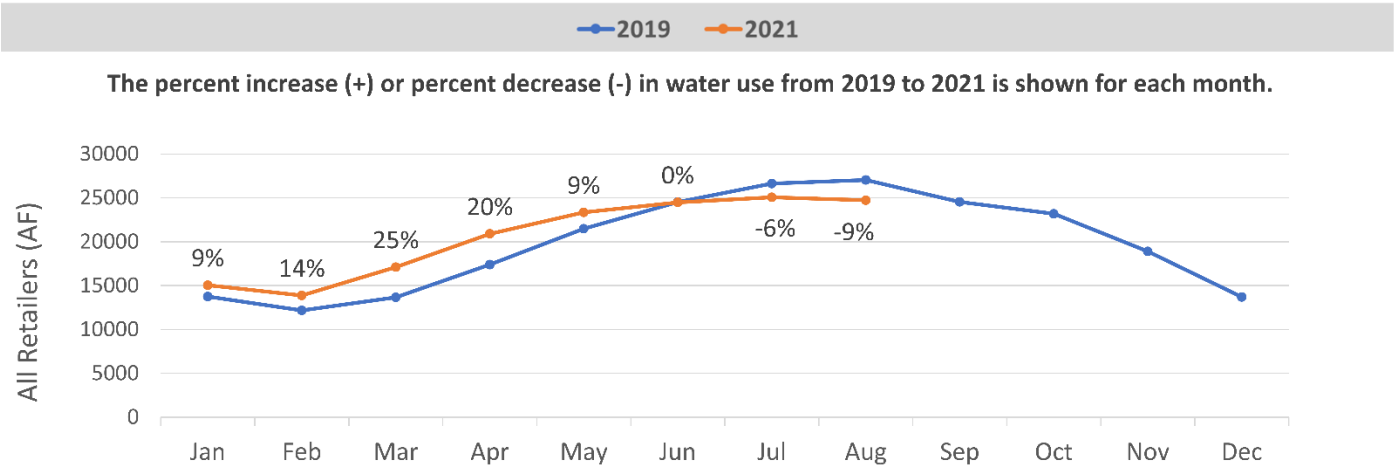
SEPTEMBER 2021

Resolution 21-68 Implementation

On June 9, 2021, the Board adopted Valley Water Resolution 21-68 which declared a water shortage emergency condition pursuant to California Water Code §350, called for water use restrictions of 15% compared to 2019, and urged the County of Santa Clara (County) to proclaim a local emergency. The County adopted a Resolution ratifying the proclamation of a local emergency due to the drought on June 22, 2021. California’s Governor included Santa Clara County as part of a drought emergency proclamation on July 8, 2021. Valley Water activated its Emergency Operations Center (EOC) on June 16, 2021 to assist with resolution implementation and other drought-related efforts.

Retailer Water Use Reduction

The graph below depicts total water use from the 13 retailers in Santa Clara County to help track progress towards achieving Valley Water’s 15% call for water use reduction made in June 2021.



- Countywide, the percent change of water used compared to 2019 has steadily decreased since March 2021, showing that retailers, cities, and our communities are responding to the call for conservation.
- In March 2021, water use in Santa Clara County was 25% higher when compared to March 2019. In August 2021, Santa Clara County used 9% less water compared to August 2019. It’s encouraging to see the numbers trending in the right direction.
- Valley Water anticipated that reducing water use countywide by 15% would be a gradual process. During the last drought, the 20% call for water use reduction made on February 25, 2014 was first reached nine months later, in November 2014.
- Valley Water thanks jurisdictions and the community for the significant progress made so far in reducing water use countywide. Valley Water encourages everyone to find ways to reduce their water use. Every drop saved today is one we can use tomorrow.

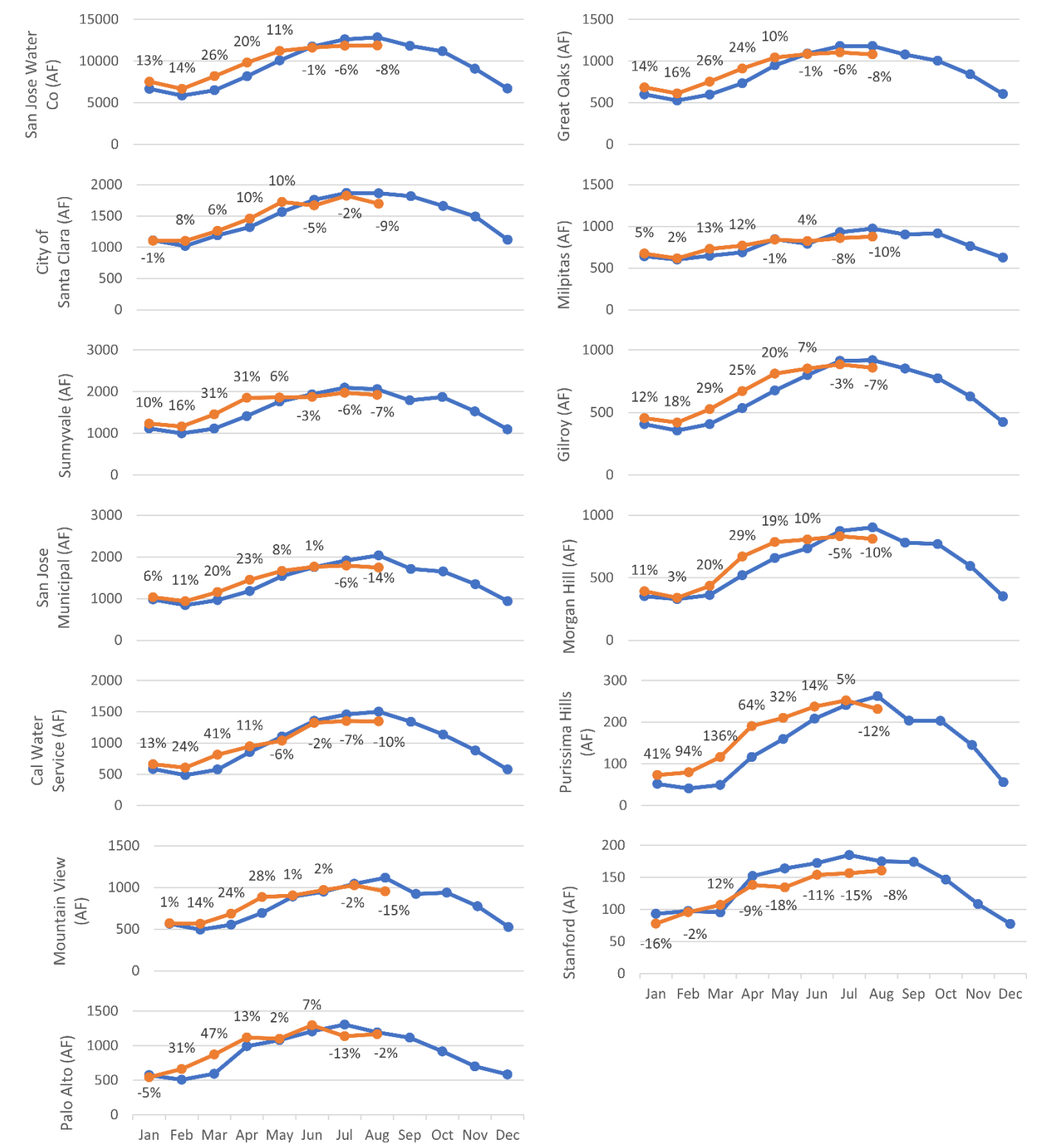
These graphs depict water use by each of Valley Water’s 13 retailers to help track progress towards achieving the 15% call for water use reduction made in June 2021. Note that City of Palo Alto Utilities (Palo Alto) and Purissima Hills Water District (Purissima) normally do not use Valley Water sources of water. A large proportion of water used by the City of Mountain View Public Works (Mountain View) and Stanford Utilities (Stanford) is not from Valley Water sources.

Monthly Water Use by Retailer (AF)

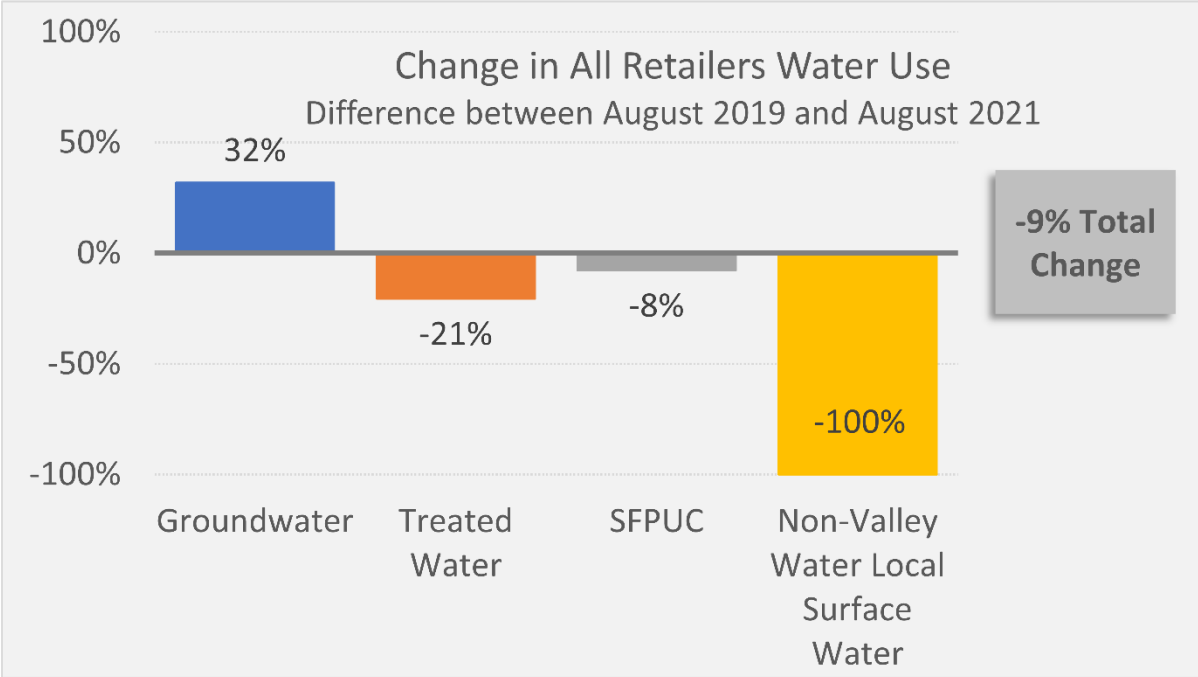
2019

2021

The percent increase (+) or percent decrease (-) in water use from 2019 to 2021 is shown for each month.



The graph below depicts changes between the retailers’ different types of water use and shows that Valley Water retailers’ total water use in August 2021 was 9% lower than in August 2019. As expected, the proportion of groundwater use tends to increase during drought.



The table below shows Valley Water retailers’ water usage volumes by type.

	Total Water Use in Acre-Feet (Jan - Aug 2019)					Total Water Use in Acre-Feet (Jan - Aug 2021)				
Water Retailer	Groundwater	Treated Water	SFPUC	Non-Valley Water Local Surface Water	SUM	Groundwater	Treated Water	SFPUC	Non-Valley Water Local Surface Water	SUM
San Jose Water Company	18,381	42,112	-	14,033	74,525	37,701	40,304	-	795	78,800
Santa Clara, City	6,391	3,073	2,237	-	11,701	6,783	2,566	2,491	-	11,840
Sunnyvale	67	5,098	7,339	-	12,503	65	6,361	6,930	-	13,355
San Jose Municipal Water	629	7,383	3,209	-	11,221	621	7,859	3,070	-	11,549
California Water Service	1,691	6,235	-	-	7,926	2,892	5,202	-	-	8,094
Palo Alto	-	-	7,456	-	7,456	-	-	7,900	-	7,900
Mountain View	165	667	5,478	-	6,309	91	634	5,834	-	6,559
Great Oaks	6,862	-	-	-	6,862	7,274	-	-	-	7,274
Milpitas	-	2,035	4,086	-	6,121	-	2,322	3,870	-	6,192
Gilroy	5,014	-	-	-	5,014	5,480	-	-	-	5,480
Morgan Hill	4,736	-	-	-	4,736	5,075	-	-	-	5,075
Purissima Hills Water	-	-	1,131	-	1,131	-	-	1,393	-	1,393
Stanford	-	-	1,135	-	1,135	-	-	1,026	-	1,026
Total	43,935	66,603	32,071	14,033	156,641	65,981	65,248	32,513	795	164,537

Collaboration with the County, Retailers, and Cities

- As of September 30, 2021, the County of Santa Clara and 11 cities in Santa Clara County have taken action to their Councils in response to the extreme drought conditions and to Valley Water's call to reduce water use by 15% compared to 2019 levels. These actions ranged from adopting local emergency resolutions to encouraging residents and businesses to use less water through ceremonial drought awareness proclamations and social media campaigns, as well as providing information on Valley Water’s water conservation rebates and programs on cities’ websites. Many jurisdictions also activated their citywide Water Shortage Contingency Plans to immediately implement mandatory water-use restrictions and other conservation measures.
- Although formal actions have not yet been considered by all City Councils, retailers like San José Municipal Water System have implemented several administrative measures in response to the drought, including expanding their water conservation messaging and outreach, as well as and making other operational changes like encouraging a three-day-a-week watering restriction to meet Valley Water’s water use reduction goal.
- Retailers’ latest restrictions are posted on their websites, and links are provided by Valley Water (<https://www.valleywater.org/your-water/find-your-water-retailer>).
- The investor-owned retailers water reduction measures are shown in the table below. These retailers must obtain California Public Utilities Commission (CPUC) approval to implement restrictions and other water use reduction measures.

Investor-owned Water Retailers			
	San Jose Water Company (SJWC)	Great Oaks Water Company	California Water Service
Surcharge for Exceeding Drought Allocation ¹	TBD if necessary ²	\$6.9804/CCF	TBD if necessary
Enforcement Structure for Violations of Water Waste Restrictions ³	1 st Offense: Written notice 2 nd Offense: Install flow restrictor	1 st Offense: Written notice 2 nd Offense (same restriction): \$25 fee Additional Offense (same restriction): \$25 more than previous fee	1 st Offense: Written notice & install real time water measurement device 2 nd Offense (same restriction): \$25 fee 3 rd Offense (same restriction): \$50 4 th Offense: Install flow restrictor
<p>¹A drought allocation is a predetermined budget of how much water an individual customer may be expected to use during a billing period. An allocation may be calculated using a customer’s historical water use, or by using a customer type average reduced by a specific amount (15%). When a customer exceeds their allocation, the excess water use has a surcharge applied to each billed unit of water. Retailers may set a minimum drought allocation in recognition of customers who already conserve water so that reducing use any further is not feasible.</p> <p>²SJWC received CPUC approval on 9/3/21 for their strategy to implement drought allocations and surcharges. The decision to implement this strategy is still under review by SJWC and will require additional CPUC approval if/when that decision is made.</p> <p>³Violations of water waste restrictions include actions that do not follow retailer restrictions, such as irrigating on the wrong day or in a manner that causes runoff. Repeated violations of water waste restrictions may result in a fee or penalty issued by the retailer.</p>			

- Valley Water continues to meet with retailers at numerous Subcommittee meetings to provide drought updates, track progress towards drought response efforts, and ensure consistent messaging. Valley Water has also initiated a monthly Ad Hoc Retailer Drought Subcommittee, and a monthly Subcommittee meeting for drought-related operational updates.
- A Drought Summit will be held to convene elected officials and community leaders from throughout Silicon Valley to discuss ways to address the drought together. The summit will take place virtually on October 23, 2021 from 9:30 a.m.-12:30 p.m. and is expected to be attended by local, state, and federal officials and stakeholders representing the region. The Model Water Efficient New Development Ordinance (MWENDO) will be highlighted during the summit as a call to action to ensure water conservation becomes a way of life in Santa Clara County. The goal of MWENDO is to ensure new developments meet strong water efficiency standards. The Drought Summit will incorporate interactive break-out sessions and the topics that will be discussed include community feedback and insights, water supply projections, and information on water conservation tools and resources that can be used to help lead communities through this emergency.

Water Conservation Programs

Valley Water is actively promoting ways people can save water through rebates, free water-saving devices, and behaviors. The Landscape Rebate Program provides rebates for converting high-water use landscape to low-water use landscape, as well as retrofitting existing irrigation equipment with approved high-efficiency irrigation equipment. The Shopping Cart (eCart) Program offers free water-saving devices to homes and businesses. The Water Waste Program enables callers to confidentially report water waste and leaks, which Valley Water addresses by providing educational assistance to the owner of the leak. Valley Water also developed a new guidebook which provides instructions on sustainable landscaping.

Valley Water has received a significant increase in applications for our landscape rebates, requests for water-saving devices, and reports of water waste. The table below shows monthly participation data available from 2021. In September, Valley Water received 269 applications for the Landscape Rebate Program, 469 orders for water-efficient devices from our website, and 206 water waste reports. These are signs that people are taking this drought seriously and are taking actions to support water use reduction.

Program	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Total
Landscape Rebate Program Applications ¹	47	64	87	233	252	185	592	376	269	2,105
Water-saving Device Orders ²	2	7	9	372	750	490	865	974	469	3,938
Water Waste Reports	5	4	26	42	53	180	238	223	206	977

¹Starting July 1, 2021, the landscape rebate was increased from \$1 to \$2 per square foot and the maximum rebate was increased from \$2,000 to \$3,000 for single-family homes.

²The eCart Program, launched in April, led to an increase in conservation device orders.

Drought and Water Conservation Outreach

- Valley Water’s multilingual water conservation campaign promotes water conservation as a way of life, being drought-ready, and Valley Water’s many conservation programs. The campaign includes ads on TV, radio, online, social media and print.
- In September, multilingual business advertorials ran in several targeted newspapers.
- Multilingual business videos are now available on YouTube promoting Valley Water’s commercial Landscape Rebate Program and Water Efficiency Technology (WET) rebate program.
- Multilingual yard signs and stickers are now available in Valley Water’s online shopping cart.
- Media interest continues to be high for drought and water-conservation content. Requests come in frequently for information and interviews. Valley Water continues to generate drought and water conservation awareness through proactive media outreach.
- On September 1, 2021, Valley Water held a media event at a home in Cupertino to showcase a laundry-to-landscape graywater system, how it can help people conserve water, and Valley Water’s rebate program.
- Valley Water held a media event on September 23, 2021 to highlight the Purified Water Program, water conservation, and Valley Water’s partnerships.
- Valley Water is running three campaigns on social media:
 - “Save our Water, Save our Trees” social media campaign has reached 90,000 people and led to 1,900 link clicks.
 - “Water Savings Contest” social media campaign has reached 15,800 people and garnered 2,000 engagements.
 - “Your Neighbors are transforming their yards and you can too” campaign has reached 37,140 people and garnered 3,630 engagements.

- Statistics for public outreach efforts are shown below.

Outreach Type	Sept 2021
Social Media¹	
Impressions ²	4,250,538
Engagements ³	44,658
Link Clicks	13,221
Website Page Views	
Water conservation webpages	95,001
BeHeard.ValleyWater.org/drought-information	3,275
Media	
Media Mentions ⁴	912
Speakers Bureau	
Presentations ⁵	10

¹Includes Facebook, Twitter, Instagram, and LinkedIn.
²Impressions are the number of times a post is displayed in a newsfeed.
³Engagements are the number of times a user interacts with a post, such a retweet, click, and more.
⁴Includes TV, radio, social media, online and print.
⁵ Office of Communications and Government Relations

Drought and Water Conservation Education

In September, the Education Outreach team reached 292 students from 12 virtual classroom presentations. The team also supported 11 educators through classroom programs and an educator training workshop. The team engaged 147 members of the public through four “Wonders of Water Wednesdays” after-school enrichment programs and three public library programs. All programs contain drought and water conservation messaging. The table below shows participation rates in the education programs in 2021. Participation tends to be higher when school is in session.

Program	May	Jun	Jul	Aug	Sept
Educators/Teachers	52	19	93	8	11
Classes/Groups	58	18	27	8	12
Students	1,483	415	499	99	292

Additionally, in September, Valley Water coordinated volunteer opportunities for the Water Ambassadors to help assemble the Do-It-Yourself (DIY) Water Wise Indoor Survey Kits.

Committee Updates

Drought-related updates are being provided regularly at Committee meetings to receive feedback and guidance. These updates were provided to the Water Conservation and Demand Management Committee on September 27, 2021.

Water Supply Operations and Outlook

Imported Water

- State Water Project (SWP) and Central Valley Project (CVP) allocations have remained stable at the following:
 - SWP – 5%
 - CVP Agricultural - 0%
 - CVP Municipal and Industrial (M&I) – 25%
- Additional CVP M&I Public Health and Safety increment of 28,500 AF is to be delivered during the second half of 2021.
- As of the end of September, total storage in San Luis Reservoir is approximately 250,000 AF or 12% of total capacity, which has been impacting water quality. Valley Water has been managing water quality by making process adjustments at the treatment plants. California Department of Water Resources (DWR)’s current projection is that San Luis Reservoir will reach a low point of approximately 200,000 AF in November 2021.
- To date in 2021, Valley Water has secured agreements for about 58,000 AF of emergency transfer supplies, before taking into account conveyance losses across the Delta.
- In addition, recovery of Valley Water’s supplies at the Semitropic Groundwater Storage Bank continue as scheduled with Valley Water regularly coordinating with DWR to secure reliable delivery of this supply, about 35,000 AF in 2021. Project planning has begun with Valley Water, DWR, and Semitropic Groundwater Storage Bank to coordinate delivery of Valley Water’s banked water if 2022 is a dry year.

Treated Water

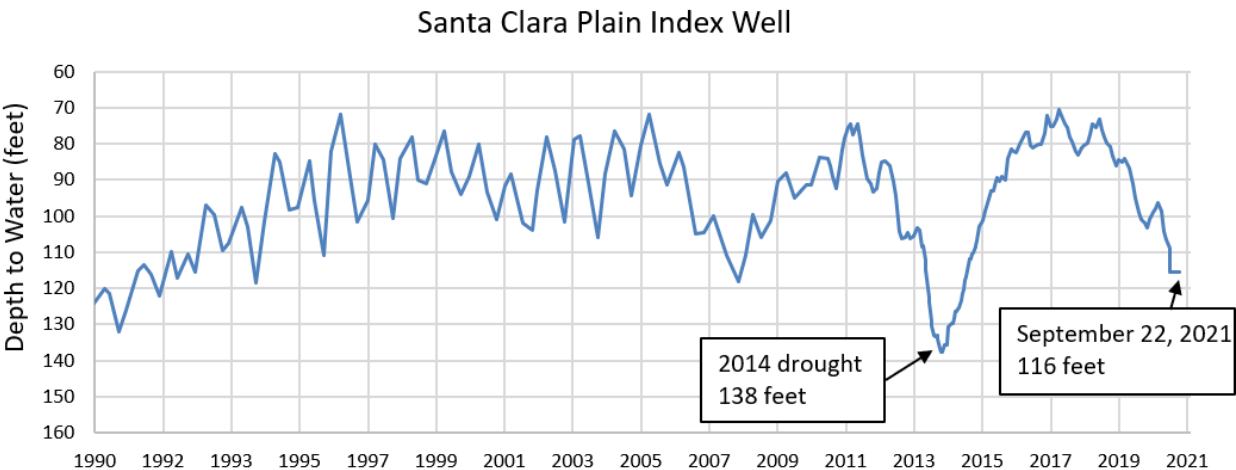
- Due to the ongoing drought condition and San Luis Reservoir reaching a low level, Valley Water’s raw water sources continued to be impacted by taste and odor and cyanotoxins compounds in the month of September.
- Staff continued to conduct proactive process optimization at affected treatment plants and collected additional samples to gauge process effectiveness.
- There were no reports of taste or odor issues for treated water in September 2021. All other treated water quality parameters continued to be within acceptable ranges.
- To encourage less groundwater pumping and offset groundwater usage with that of surface water; the treated water contract delivery schedule amounts for the months of October, November, and December have been increased by 10%.

Groundwater Recharge

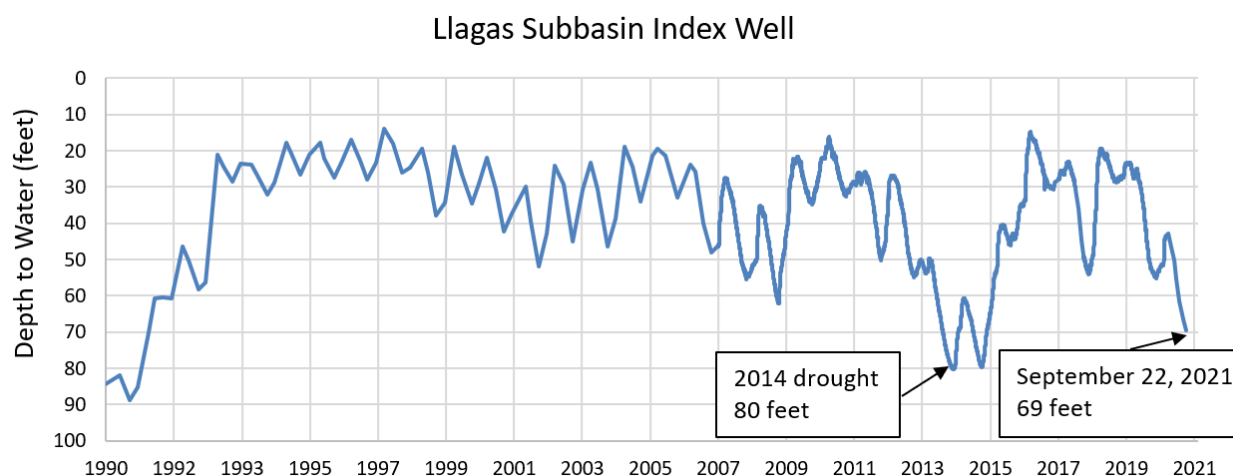
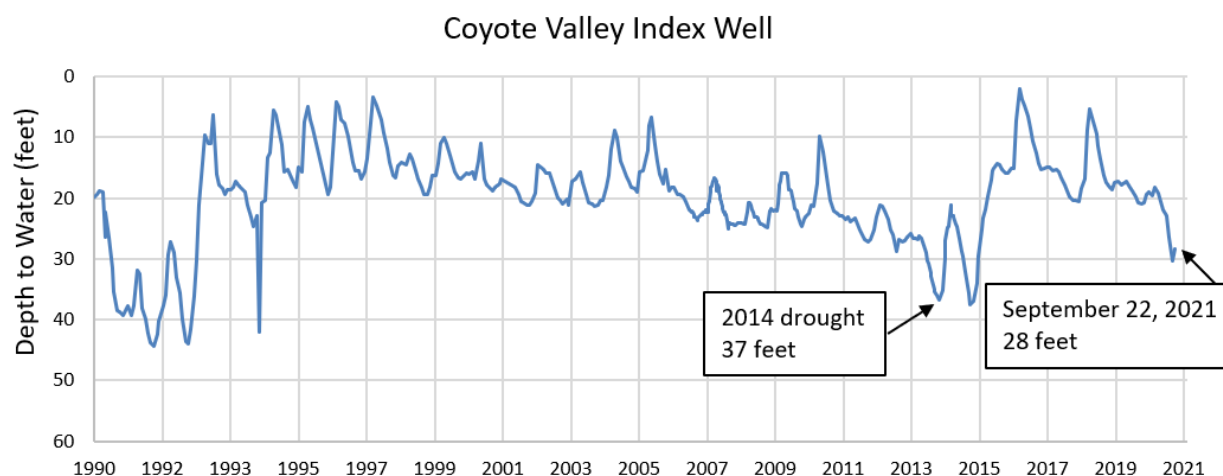
- Beginning in August 2021, releases for managed groundwater recharge were increased to the Los Gatos Ponds System and parts of the Guadalupe Ponds System, as well as to Coyote Creek downstream of Anderson Reservoir. These increased releases were possible due to increased imported water supplies made available through Public Health and Safety Supplies and expected emergency water transfers and exchanges.

Groundwater Conditions:

- Since last month, groundwater levels have continued to decline in some parts of the county, while they have stabilized or increased in other areas of the county. Emergency imported water supplies and additional water use reduction by the community have begun to help slow groundwater level declines. However, projected 2022 groundwater storage is similar to what was observed in 2014, which would increase the risk in 2022 of resumed subsidence in North County and wells going dry, particularly in South County. Current conditions in both areas are described below.
- North County Conditions
 - Groundwater pumping is 132% of the five-year average.
 - As shown below, groundwater levels in the Santa Clara Plain index well have declined over recent months, with a similar pattern as the 2012–2016 drought. The current water level has dropped less than one foot since last month and remains about 22 feet above the minimum water level in 2014. The water level at this well has dropped about 14 feet compared to this time last year.
 - Groundwater levels are more than 30 to 100 feet above thresholds established to minimize the risk of permanent subsidence.
 - No reports of dry wells have been received.



- South County Conditions
 - Groundwater pumping is 120% to 103% of the five-year average in the Coyote Valley and Llagas Subbasin, respectively.
 - Groundwater levels in the Coyote Valley and Llagas Subbasin index wells have dropped about 8 to 18 feet compared to this time last year. However, the Coyote Valley index well water levels have risen about two feet since last month. The current water level in the Coyote Valley and Llagas Subbasin index wells is about 9 to 11 feet above the respective minimum water levels in 2014.
 - One report of a dry well has been received. The well is in unincorporated area within the southwestern Coyote Valley and is close to the foothills where well yield is generally less reliable.



State and Federal Coordination

State Coordination

- The FY 2021-22 State Budget was signed by the Governor on September 23. At over \$260 billion, it is the largest budget in California history.
 - \$5.2 Billion for Water and Drought Resilience – Funded programs support immediate drought response and long-term water resilience, including drought relief projects to secure and expand water supplies; support drinking water and wastewater infrastructure; Sustainable Groundwater Management Act implementation to improve water supply and quality; and projects to support wildlife and habitat restoration efforts.
 - \$3.7 Billion for Climate Resilience - Provides funding to address various climate change impacts including extreme heat and sea level rise through urban greening, coastal protection, and other adaptation measures that may be used to address drought-impacted habitat and species.
- Staff is reviewing the enacted budget for grant funding opportunities for Valley Water projects and will be following grant solicitations closely for funding opportunities that would benefit Santa Clara County.

Federal Coordination

- Staff continues to advocate for federal drought relief funding in several legislative vehicles:
 - The *bipartisan infrastructure bill* includes funding for storage and large-scale recycled water projects, such as Valley Water's Recycled and Purified Water projects.
 - The *House budget reconciliation bill* includes additional funding for recycled water projects.
 - The House-introduced *disaster supplemental funding bill* includes \$200 million for drought relief, which would go to the Bureau of Reclamation for drought-related programs and activities.
- All three bills remained under consideration in late September.

Staffing and Resources

- Conservation is in active recruitment for a Management Analyst position. Recruitment was completed for 2 Water Conservation Specialist positions with start dates to be determined.
- Conservation and Procurement teams are collaborating to advance vendors for the eCart Program and outdoor conservation field services. The eCart Program contract is nearly complete.
- Drought emergency expenses are expenditures supplemental to the regular budget that would have been adopted had there been no drought. The only expense for drought emergency costs included in the Fiscal Year (FY) 2021-22 Adopted Budget are \$20 million for supplemental water and an additional \$3.3 million for water banking expenses to bring approximately 32,000 acre-feet of water banked at Semitropic Water Storage District into Santa Clara County. Budget adjustments will be brought to the Board for any additional expenses incurred during the year.
- Expenses for the month of August FY22 totaled approximately \$21.2 million spent or encumbered primarily for supplemental water tied to contracts executed in FY21, a relatively small draw of water from Semitropic Water Storage District, and labor expenses for staff time towards Valley Water’s drought response program.

Expanded Opportunities

Purified Water Project

The Purified Water Project will replenish groundwater supplies with purified water and expand usage of recycled and purified water, a drought-resilient, locally-controlled water source.

- Valley Water continues to make progress in implementing the Purified Water Project, including review of Statements of Qualifications, development of needed agreements with our wastewater partners, outreach and education, and technical and regulatory efforts. Monthly updates are provided to the Recycled Water Committee.

Leak Assistance Program Pilot

Valley Water and the Bay Area Water Supply and Conservation Agency (BAWSCA) are developing a pilot to create a leak detection certification program for professionals. California Water Efficiency Partnership (CalWEP) is the contractor for this pilot.

- Valley Water is reviewing a draft Memorandum of Agreement.

Agricultural Water Use Baseline Study

Valley Water is conducting an Agricultural Water Use Baseline Study (Study), expected to be completed in 2022. The Study aims to better understand current agricultural water use practices and identify opportunities to expand water conservation programs offered to the agricultural community.

- Through a new agreement with the UC Regents, the UC Merced team has made progress using a remote-sensing based data approach to determine patterns in crop distribution and irrigation technology verification. The team will continue their analysis and the Study is on track to be completed by the end of 2022.

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Outlook as of October 1, 2021

The U.S. Drought Monitor classifies Santa Clara County as being in an extreme to exceptional drought. After two consecutive dry years and due to low imported water allocations, end of 2021 groundwater storage is projected to be in Stage 2 (Alert) of the Water Shortage Contingency Plan without additional water use reduction. Valley Water has secured emergency water supplies and ramped up water conservation programs and outreach. Valley Water will rely more on imported water and water conservation in the next 10 years while Anderson Reservoir storage is unavailable due to the Federal Energy Regulatory Commission (FERC) order to drain the reservoir. The Board of Directors adopted a resolution on June 9, 2021, declaring a water shortage emergency condition and calling for water use restrictions of 15% relative to 2019. Many cities and retailers have enacted water use prohibitions to encourage every property in Santa Clara County to become drought ready.

Weather

- Rainfall in San José:
 - » Month of September, City of San José = 0.00 inches
- Month of September, San José average daily high temperature = 82.4 degrees Fahrenheit

Local Reservoirs

- Total October 1 storage = 19,187 acre-feet
 - » 26% of 20-year average for that date
 - » 11.5% of total unrestricted capacity
 - » 31% of restricted capacity (166,140 acre-feet total storage capacity limited by seismic restrictions to 62,362 acre-feet)
- Approximately 240 acre-feet of imported water delivered into Calero Reservoir during September 2021
- Approximately 20 acre-feet of water released from Anderson Reservoir during September 2021. Since the FERC order to drawdown Anderson Reservoir was issued on February 20, 2020, cumulative release from Anderson is approximately 30,680 acre-feet. Majority of released water was for water supply
- Total estimated releases to streams (local and imported water) during September was 2,590 acre-feet (based on preliminary hydrologic data)

Groundwater

- Groundwater levels and storage continue to decline due to the extreme drought conditions. Total storage at the end of 2021 is projected to be in Stage 2 (Alert) of Valley Water's Water Shortage Contingency Plan.

	Santa Clara Subbasin		Llagas Subbasin
	Santa Clara Plain	Coyote Valley	
September 2021 managed recharge estimate	3,000	1,100	1,400
YTD managed recharge estimate	21,800	9,100	12,000
YTD managed recharge as % of 5-year average	46%	69%	75%
August 2021 pumping estimate	8,500	1,600	5,100
January to August pumping estimate	56,300	8,700	27,400
January to August pumping as % of 5-year average	132%	120%	103%
Current index well groundwater levels compared to September 2020	14 Feet Lower	8 Feet Lower	17 Feet Lower

All volumes are in acre-feet; All data is for 2021 except where noted; YTD = Year-to-date

Imported Water

- 2021 State Water Project (SWP) and Central Valley Project (CVP) allocations:
 - » 2021 SWP allocation of 5%, which provides 5,000 acre-feet to Valley Water
 - » Valley Water received conditional approval for a 2021 CVP allocation of 71,500 acre-feet, based on Valley Water's public health and safety needs. However, the availability of the allocation is subject to hydrological and other system limitations
- Statewide reservoir storage information, as of October 3, 2021:
 - » Shasta Reservoir at 23% of capacity (39% of average for this date)
 - » Oroville Reservoir at 22% of capacity (36% of average for this date)
 - » San Luis Reservoir at 12% of capacity (25% of average for this date)
- Valley Water's Semitropic groundwater bank reserves are at 91% of capacity, or 318,954 acre-feet, as of August 31, 2021
- Estimated SFPUC deliveries to Santa Clara County:
 - » Month of August = 4,771 acre-feet
 - » 2021 Total to Date: 32,513 acre-feet
 - » Five-year annual average = 48,700 acre-feet
- Board Governance Policy No. EL-5.3.3 includes keeping the Board informed of imported water management activities on an ongoing basis. No imported water agreements have been executed under EL-5.3.3 since the last Water Tracker update

Treated Water

- Below average demands of 9,301 acre-feet delivered in September
- This total is 80% of the five-year average for the month of September
- Year-to-date deliveries are 74,882 acre-feet or 95% of the five-year average

Conserved Water

- Saved 74,198 acre-feet in FY20 through Valley Water's long-term conservation program (baseline year is 1992)
- Long-term program goal is to save nearly 100,000 acre-feet by 2030 and 110,000 acre-feet by 2040
- On June 9, 2021, the Board called for a 15% reduction in water use compared to 2019, for the public to limit irrigation of ornamental landscapes with potable water to a maximum of three days per week, and for retailers, cities and the County to implement local water restrictions
- The community has continued to increase its drought-related conservation from June 2021, with August 2021 water use approximately 9% less than August 2019 water use

Recycled Water

- Estimated September 2021 production = 1,750 acre-feet
- Estimated year-to-date through September = 13,530 acre-feet or 97% of the five-year average
- Silicon Valley Advanced Water Purification Center produced an estimated 1.6 billion gallons (4,864 acre-feet) of purified water in 2020. Since the beginning of 2021, about 4,268 acre-feet of purified water has been produced. The purified water is blended with existing tertiary recycled water for South Bay Water Recycling Program customers

Alternative Sources

- As of December 10, 2019, Valley Water's wastewater contract right from Palo Alto/Mountain View remains at 10,000 acre-feet/year

CONTACT US

To find out the latest information on Valley Water projects or to submit questions or comments, email info@valleywater.org or use our **Access Valley Water** customer request system at <https://deliver.com/2yukx>.



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Santa Clara Valley Water District

File No.: 21-0960

Agenda Date: 10/12/2021

Item No.: 3.1.

BOARD AGENDA MEMORANDUM

SUBJECT:

Approve Federal Funding Requests for Federal Fiscal Years 2022 and 2023.

RECOMMENDATION:

Approve the recommended federal Fiscal Years (FYs) 2022 and 2023 appropriations requests for Valley Water-sponsored and Valley Water-supported projects.

SUMMARY:

On November 1-3, 2021, Santa Clara Valley Water District (Valley Water) Board members and staff will conduct virtual meetings with Members of Congress and staff, as well as executive agency officials and staff, to advocate for Valley Water's FY 2022 and FY 2023 funding requests and legislative priorities. Approval of this item will allow participating Board members and staff to engage in and influence the federal budget process, as well as discuss and advocate for other priority issues.

While the 2022 federal fiscal year began on October 1, 2021, there is still time to influence FY 2022 appropriations and, in particular, the U.S. Army Corps of Engineers (USACE) FY 2022 work plan. The federal government is currently operating under a continuing resolution that funds federal agencies on a short-term basis at FY 2021 funding levels. Congress is expected to pass a regular appropriations bill later in 2021, which is required before USACE can submit its work plan. In addition, federal agencies are currently in the process of finalizing their respective FY 2023 budget requests, which the President will release in his budget submission to Congress in February 2022.

In order to engage in and influence the budget and appropriations process, staff is requesting that the Board support a list of Valley Water's USACE-partnered flood protection project funding requests for USACE's FY 2022 and FY 2023 work plans, as well as a list of federally partnered water utility project funding requests for the U.S. Bureau of Reclamation. The requests are shown on Attachment 1 and are coordinated with Valley Water's federal and local partners to ensure that the appropriations will fully fund these programs and projects.

In early 2022, prior to the spring trip to Washington, D.C. (whether in-person or virtual), staff will bring an updated list of appropriations requests for FY 2023 for the Board's consideration.

FINANCIAL IMPACT:

There is no financial impact associated with this item.

CEQA:

The recommended action does not constitute a project under CEQA because it does not have the potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

ATTACHMENTS:

Attachment 1: FY22, FY23 Federal Funding Requests

UNCLASSIFIED MANAGER:

Don Rocha, 408-630-2338

Summary of Federal Funding Requests for Federal Fiscal Years 2022 and 2023 for Projects that Affect Santa Clara County, California

Program Name	Project/Program Stage	FY22 Valley Water Request	FY23 Valley Water Request
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Flood Protection Projects

South San Francisco Bay Shoreline Project – Phase I	FY22 and FY23: Construction	No funding request. Fully funded under the 2018 Bipartisan Budget Act (\$124.3M).	
South San Francisco Bay Shoreline Project – Phase II	FY22: Complete the feasibility study and prepare the Chief's Report FY23: Prepare a Chief's Report	\$1.4 million ¹	\$300,000 ¹
South San Francisco Bay Shoreline Project – Phase III	FY22 and FY23: Initiate feasibility study and gather data for a Chief's Report	\$200,000 ¹	\$200,000 ¹ (if no funding received in FY22)
Upper Guadalupe River Flood Protection Project	FY22 and FY23: Prepare General Reevaluation Report	No funding request. Received \$1.5M in FY20 to complete a General Reevaluation Report.	
San Francisquito Creek Flood Protection Project	FY22 and FY23: Channel widening from Hwy 101 to Pope Chaucer Bridge	\$10 million ¹	\$10 million ¹ (if no funding received in FY22)
Don Edwards San Francisco Bay National Wildlife Refuge	FY22 and FY23: Support project partner request for adaptive management	\$6.9 million ²	\$6.9 million ² (if no funding received in FY22)

Water Supply Projects

Pacheco Reservoir Expansion Project	FY22 and FY23: Design and pre-construction	\$625 million ³	\$625 million ³ (if no funding received in FY22)
San Luis Low Point Improvement Program	FY22: Complete the feasibility study and begin pre-construction FY23: Construction	\$357 million ³	\$357 million ³ (if no funding received in FY22)
High Hazard Dam Rehabilitation and Repair	FY22 and FY23: Continued program funding	\$7.5 million ⁴ for Anderson Dam Seismic Retrofit	\$7.5 million ⁴ for Anderson Dam Seismic Retrofit
Recycled & Purified Water Program	FY22 and FY23: Design and construction	\$312 million ³	\$312 million ³ (if no funding received in FY22)
South County Recycled Water Program	FY22 and FY23: Design and construction	\$11 million ³	\$11 million ³ (if no funding received in FY22)
San José Area Water Reclamation and Reuse Program	FY22 and FY23: Construction of Recycled and Purified Water Program projects	\$47 million ³	\$47 million ³ (if no funding received in FY22)
CALFED Bay-Delta Restoration Program	FY22 and FY23: Continued program funding	\$35 million ³	\$35 million ³
Los Vaqueros Reservoir Expansion Project	FY22 and FY23: Pre-construction	\$159 million ³	\$159 million ³ (if no funding received in FY22)

Other Priority Projects

Delta-Mendota Canal, California Aqueduct, and Friant-Kern Canal Repairs	FY22 and FY23: New funding	\$785 million ³	\$785 million ³ (if no funding received in FY22)
Corps Water Infrastructure Financing Program	FY22 and FY23: Continued program funding	\$50 million ¹	\$50 million ¹
Water Infrastructure Finance and Innovation Act	FY22 and FY23: Continued program funding	\$50 million ⁵	\$50 million ⁵
South San Francisco Bay Emergency Port Access Project	FY22 and FY23: Initiate feasibility study	\$100,000 ¹	\$100,000 ¹ (if no funding received in FY22)

Funding Sources:

³ U.S. Bureau of Reclamation

¹ U.S. Army Corps of Engineers

⁴ U.S. Department of Homeland Security – Federal Emergency Management Agency

² U.S. Department of the Interior – U.S. Fish and Wildlife Service

⁵ U.S. Environmental Protection Agency

If you have questions, please contact Don Rocha at drocha@valleywater.org or (408) 630-2338.

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Santa Clara Valley Water District

File No.: 21-0931

Agenda Date: 10/12/2021

Item No.: 3.2.

BOARD AGENDA MEMORANDUM

SUBJECT:

Adopt the Resolution Declaring October 23-30, 2021, as California Flood Preparedness Week in Santa Clara County.

RECOMMENDATION:

Adopt the Resolution DECLARING THE WEEK OF OCTOBER 23-30, 2021, AS CALIFORNIA FLOOD PREPAREDNESS WEEK IN SANTA CLARA COUNTY.

SUMMARY:

Santa Clara Valley Water District (Valley Water) is a participating member of the State of California, Department of Water Resources, California Flood Preparedness Week (CFPW), a statewide effort to educate the public about the importance of flood preparedness, including how to prepare their homes, families, and businesses for a flood and plan for recovery.

Flooding has devastating impacts on individuals, families, and businesses. Valley Water is building infrastructure for flood risk reduction and is committed to educating the residents of Santa Clara County on flood impacts through awareness and education campaigns.

The tenth annual CFPW will be held during the week of October 23-30, 2021. The theme for CFPW 2021 is "The Impacts of Climate Change Leading to Extreme Drought and Flooding".

Federal, state, and local agencies, such as the California Office of Emergency Services, Federal Emergency Management Agency, US Army Corps of Engineers, and Department of Water Resources, will work together to provide consistent messaging to inform all Californians on the types of flooding that impact various communities in California.

In Santa Clara County, Valley Water is coordinating efforts to increase public awareness of flood threats and is encouraging all Santa Clara County residents and businesses to take action and prepare appropriately.

Residents can learn more about flood preparedness at <https://www.valleywater.org/floodready> or <https://www.ready.gov/floods>.

FINANCIAL IMPACT:

There is no financial impact associated with this item.

CEQA:

The recommendation action does not constitute a project under CEQA because it does not have the potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

ATTACHMENTS:

Attachment 1: Resolution

UNCLASSIFIED MANAGER:

Marta Lugo, 408-630-2237

**BOARD OF DIRECTORS
SANTA CLARA VALLEY WATER DISTRICT**

RESOLUTION NO. 21-

**DECLARING THE WEEK OF OCTOBER 23-30, 2021, AS
CALIFORNIA FLOOD PREPAREDNESS WEEK IN SANTA CLARA COUNTY**

WHEREAS, the Santa Clara Valley Water District recognizes the significant public safety threat flooding poses to the population, assets, and economy of Santa Clara County; and

WHEREAS, Santa Clara County has endured multiple flood events, including historic floods, wherein Santa Clara County has seen rainfall events that resulted in devastating flooding and debris flows over portions of our community which should serve as a reminder of the flooding threat we face and the need to prepare every year; and

WHEREAS, the Santa Clara Valley Water District is continuing to address flood protection through various projects and are working towards building flood protection infrastructure to protect communities from future flooding. The Santa Clara Valley Water District is also committed to providing educational material and resources for residents of Santa Clara County to prepare for flooding events; and

WHEREAS, floods can occur in Santa Clara County in any given year, regardless of perceived weather patterns or trends; and even after several years of severe drought conditions, droughts in California have historically ended with extreme rain events and flooding; and

WHEREAS, statewide over 7 million people and at least \$600 billion in assets (buildings, infrastructure, and crops) are exposed to the hazard of flooding; and

WHEREAS, the Santa Clara Valley Water District provides flood map reading services and makes available to the public the Flood Insurance Rate Maps (FIRM) information developed and published by the Federal Emergency Management Agency (FEMA); and

WHEREAS, because of the Santa Clara Valley Water District's ongoing participation in the FEMA National Flood Insurance Program Community Rating System, residents and businesses throughout Santa Clara County are eligible to purchase federal flood insurance as financial protection against flood losses which do occur; and

WHEREAS, during California Flood Preparedness Week, local, state, and federal agencies across the state work together to inform the public about the dangers of flooding, how to prepare their homes and families for a flood, and plan for recovery; and

WHEREAS, California Flood Preparedness Week 2021 will be held statewide during the week of October 23-30.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the Santa Clara Valley Water District declares the week of October 23-30, 2021, as California Flood Preparedness Week in Santa Clara County in alignment with the California Department of Water Resources, California Flood Preparedness Week, expresses support for increased public awareness of flood threats, and encourages all Santa Clara County residents and businesses to take action to know their flood threat and prepare appropriately for the flood season.

Declaring the Week of October 23-30, 2021, as California Flood Preparedness Week in Santa Clara County
Resolution No. 21-

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by the following vote on October 12, 2021:

AYES: Directors

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

SANTA CLARA VALLEY WATER DISTRICT

TONY ESTREMER
Chair, Board of Directors

ATTEST: MICHELE L. KING, CMC

Clerk, Board of Directors



Santa Clara Valley Water District

File No.: 21-1033

Agenda Date: 10/12/2021

Item No.: 3.3.

BOARD AGENDA MEMORANDUM

SUBJECT:

Approve the Nomination of Ms. Vaishali "Shali" Sirkay, by District 7 Vice Chair Gary Kremen, as Replacement to the District 7 Representative Seat on the Santa Clara Valley Water District 2021 Redistricting Advisory Committee.

RECOMMENDATION:

Approve the nomination of Ms. Vaishali "Shali" Sirkay, by District 7 Vice Chair Gary Kremen, as a replacement to the District 7 Representative seat on the Santa Clara Valley Water District 2021 Redistricting Advisory Committee.

SUMMARY:

Recently, District 7 Committee member Raven Malone informed staff that due to unforeseen circumstances, she would not be able to commit the time necessary to serve on the Redistricting Advisory Committee. District 7 Vice Chair Gary Kremen has since submitted a new nominee, Ms. Vaishali "Shali" Sirkay, for the Committee. More information on Ms. Vaishali "Shali" Sirkay's background, as well as a photo, are contained in Attachment 1.

With this appointment, the 2021 Redistricting Advisory Committee (Committee) will be back to its full membership of seven members, each one representing one of Santa Clara Valley Water District's (Valley Water) seven districts. The Committee's responsibilities are to:

1. review 2020 census data;
2. determine if population shifts require adjustments in electoral district boundaries;
3. take public input on what boundary adjustments should be considered; and
4. oversee the drafting district boundaries based on 2020 census data.

The Committee continues to conduct outreach meetings within each of the seven Valley Water districts through October and November, with the next meeting, following this recommended Board action, taking place on October 13. The Committee is expected to finish its work in February/March 2022.

FINANCIAL IMPACT:

There is no additional financial impact associated with this item.

CEQA:

The recommended action does not constitute a project under CEQA because it does not have a potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

ATTACHMENTS:

Attachment 1: Nominee Qualifications

UNCLASSIFIED MANAGER:

Don Rocha, 408-630-2338



Vaishali "Shali" Sirkay moved to the Bay Area from New York City in 2002, and has lived in Los Altos since 2007. She has one child who will be heading off to college in 2022. She holds a Master of Public Health from Tulane University School of Public Health and Tropical Medicine and a Bachelor of Arts in Anthropology from Barnard College at Columbia University.

Ms. Sirkay has a long history of being active in both her local community and in Santa Clara County. A lifelong Democrat, she serves as the Vice President & Program Director of the Peninsula Democratic Coalition. She is currently an elected board member to the Los Altos School District Board of Trustees (President of the Board in 2021). She is a commissioner on the Santa Clara County Juvenile Justice Commission, where she sits on several committees and co-chairs the Equity and Justice Committee.

Ms. Sirkay is committed to supporting the health, safety and wellbeing of children and families in Santa Clara County.

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Santa Clara Valley Water District

File No.: 21-1053

Agenda Date: 10/12/2021

Item No.: 3.4.

BOARD AGENDA MEMORANDUM

SUBJECT:

Approval of Minutes.

RECOMMENDATION:

Approve the minutes.

SUMMARY:

In accordance with the Ralph M. Brown Act, a summary of Board discussions, and details of all actions taken by the Board, during all open and public Board of Directors meetings, is transcribed and submitted to the Board for review and approval.

Upon Board approval, minutes transcripts are finalized and entered into the District's historical records archives and serve as historical records of the Board's meetings.

FINANCIAL IMPACT:

There is no financial impact associated with this item.

CEQA:

The recommended action does not constitute a project under CEQA because it does not have a potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

ATTACHMENTS:

- Attachment 1: 032521 Special and Closed Session Meeting Minutes
- Attachment 2: 032621 Special Meeting and Closed Session Minutes
- Attachment 3: 062221 Closed Session and Regular Meeting Minutes
- Attachment 4: 070621 Special Closed Session Meeting Minutes

UNCLASSIFIED MANAGER:

Michele King, 408-630-2711



BOARD OF DIRECTORS MEETING

MINUTES

SPECIAL MEETING AND CLOSED SESSION
THURSDAY, MARCH 25, 2021
8:45 AM

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER:

A Special Meeting and Closed Session of the Santa Clara Valley Water District (Valley Water) Board of Directors, conducted by Zoom Teleconference, was called to order in the Valley Water Headquarters Building Boardroom at 5700 Almaden Expressway, San Jose, California, at 8:45 a.m.

1.1 Roll Call.

Board members participating by teleconference were Barbara Keegan, Gary Kremen, Linda J. LeZotte, and John L. Varela, with Tony Estremera, Nai Hsueh, and Richard Santos being present in the Boardroom, constituting a quorum of the Board.

Staff in attendance was M. Meredith, Deputy Clerk of the Board. Staff participating by teleconference were R. Callender, Chief Executive Officer, B. Hopper, Acting District Counsel, M. Lugo, M. Richardson, and T. Yoke.

1.2 Pledge of Allegiance/National Anthem.

Director Varela led all present in reciting the Pledge of Allegiance.

1.3 Time Open for Public Comment on any Item not on the Agenda.

Chairperson Estremera declared time open for public comment on any item not on the agenda. There was no one present who wished to speak.

2. TIME CERTAIN:

8:45 AM

- 2.1 Resolution Declaring March 29 - April 4, 2021, as a Week of Public Service in Honor of César Chávez.

Recommendation: A. Recognize and observe March 29 - April 4, 2021, as a week of public service in honor of César Chávez; and
B. Adopt the resolution DECLARING MARCH 29 - APRIL 4, 2021, AS A WEEK OF PUBLIC SERVICE IN HONOR OF CESAR CHAVEZ.

Ms. Marta Lugo, Assistant Officer, reviewed the information on this item, per the attached Board Agenda Memo.

Ms. Demaris Villalobus-Gallindo, Organization of Latino Affairs (OLA) Employee Resource Group (ERG) President, expressed support for the Resolution and encouraged the Board to attend OLA ERG's virtual event, *Voice to the Voiceless: Continuing Cesar Chavez's Legacy of Environmental Justice* on April 6, 2021.

Motion: Adopt the Resolution No. 21-06, DECLARING MARCH 29 - APRIL 4, 2021, AS A WEEK OF PUBLIC SERVICE IN HONOR OF CESAR CHAVEZ, by roll call vote.

Move to Adopt: Gary Kremen
Second: John L. Varela
Yeas: Nai Hsueh, Barbara Keegan, Gary Kremen, Linda J. LeZotte, Richard Santos, John L. Varela, Tony Estremera
Nays: None
Abstains: None
Recuses: None
Absent: None
Summary: 7 Yeas; 0 Nays; 0 Abstains; 0 Absent.

Chairperson Estremera confirmed that the Board would adjourn to Closed Session for consideration of Item 2.2.

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

Upon completion of Closed Session, Directors Keegan, Kremen, LeZotte, and Varela concluded their participation by teleconference and did not rejoin.

Upon return to Open Session, the same Board members and staff were present, excluding, Directors Keegan, Kremen, LeZotte, and Varela.

3. ADJOURN:

3.1 District Counsel Report on Closed Session.

Chairperson Estremera confirmed that a quorum of the Board was no longer present, and continued the District Counsel report on Closed Session to the March 26, 2021 Special Closed Session Meeting.

3.2 Adjourn to Special Closed Session Meeting at 10:00 a.m. on March 26, 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.

Chairperson Estremera adjourned the meeting at 3:30 p.m. to the March 26, 2021 Special Closed Session Meeting at 10:00 a.m. 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.

Michele L. King, CMC
Clerk, Board of Directors

Approved:

Date:



BOARD OF DIRECTORS MEETING

MINUTES

SPECIAL MEETING AND CLOSED SESSION
FRIDAY, MARCH 26, 2021
10:00 AM

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER:

A Special Meeting and Closed Session of the Santa Clara Valley Water District (Valley Water) Board of Directors, conducted by Zoom Teleconference, was called to order in the Valley Water Headquarters Building Boardroom at 5700 Almaden Expressway, San Jose, California, at 10:00 a.m.

1.1 Roll Call.

Board members participating by teleconference were Gary Kremen, Linda J. LeZotte, and John L. Varela, with Tony Estremera, Nai Hsueh, and Richard Santos being present in the Boardroom, constituting a quorum of the Board.

Director Barbara Keegan joined the meeting by teleconference, as noted below.

Staff in attendance was M. King, Clerk, Board of Directors. Staff participating by teleconference were R. Callender, Chief Executive Officer, and R. Gibson.

1.2 Pledge of Allegiance/National Anthem.

Director Santos led all present in reciting the Pledge of Allegiance.

1.3 Time Open for Public Comment on any Item not on the Agenda.

Chairperson Estremera declared time open for public comment on any item not on the agenda. There was no one present who wished to speak.

2. TIME CERTAIN:

Director Keegan joined the meeting by teleconference.

10:00 AM

2.1 Adopt a Resolution Addressing Violence and Racism Against the Asian American and Pacific Islander (AAPI) Community.

Recommendation: Adopt the Resolution ADDRESSING VIOLENCE AND RACISM AGAINST THE ASIAN AMERICAN AND PACIFIC ISLANDER (AAPI) COMMUNITY.

Mr. Warren Whitlock, Racial Equity and Diversity and Inclusion Manager, reviewed the information on this item, per the attached Board Agenda Memo.

Ms. Lydia Yiu, AAPI Employee Resource Group representative, expressed appreciation and support for the Board's consideration of the attached resolution.

Motion: Adopt the Resolution No. 21-12, ADDRESSING VIOLENCE AND RACISM AGAINST THE ASIAN AMERICAN AND PACIFIC ISLANDER (AAPI) COMMUNITY, by roll call vote.

Move to Adopt: Gary Kremen
Second: Nai Hsueh
Yeas: Nai Hsueh, Barbara Keegan, Gary Kremen, Linda J. LeZotte, Richard Santos, John L. Varela, Tony Estremera
Nays: None
Abstains: None
Recuses: None
Absent: None
Summary: 7 Yeas; 0 Nays; 0 Abstains; 0 Absent.

Chairperson Estremera confirmed that the Board would adjourn to Closed Session for consideration of Item 2.2.

2.2 CLOSED SESSION
PUBLIC EMPLOYMENT
Pursuant to Government Code Section 54957(b)(1)
Title: District Counsel

Upon return to Open Session, the same Board members and staff were present.

3. ADJOURN:

3.1 District Counsel Report on Closed Session.

Chairperson Estremera stated for the record that a quorum of the Board was not present to provide a report on the March 25, 2021, Item 2.2 Closed Session, and reported that in regard to March 25, 2021, Item 2.2, the Board met in Closed Session with all members present and initiated candidate interviews.

Chairperson Estremera also reported that in regard to Item 2.2, the Board met in Closed Session with all members present and reviewed candidates for the position of District Counsel.

3.2 Adjourn to 1:00 p.m. Special Meeting, on April 6, 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.

Chairperson Estremera adjourned the meeting at 2:00 p.m., to the 1:00 p.m. Special Closed Session Meeting on April 6, 2021, in the Valley Water Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose.

Michele L. King, CMC
Clerk, Board of Directors

Approved:

Date:



BOARD OF DIRECTORS MEETING

MINUTES

**CLOSED SESSION AND REGULAR MEETING
TUESDAY, JUNE 22, 2021
4:00 PM**

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER:

A Closed Session and Regular Meeting of the Santa Clara Valley Water District (Valley Water) Board of Directors, conducted by Zoom Teleconference, was called to order in the Valley Water Headquarters Building Boardroom at 5700 Almaden Expressway, San Jose, California, at 4:00 p.m.

1.1 Roll Call.

Board members participating by teleconference were Linda J. LeZotte and John L. Varela, with Tony Estremera, Nai Hsueh, Barbara Keegan and Richard Santos being present in the Boardroom, constituting a quorum of the Board.

Director Gary Kremen joined the meeting by teleconference, as noted below.

Staff in attendance was M. King, Clerk, Board of Directors. Staff participating by teleconference were R. Callender, Chief Executive Officer, C. Orellana, District Counsel, A. Baker, R. Blank, R. Chan, J. Codianne, A. Fulcher, R. Gibson, V. Gin, A. Gschwind, B. Hopper, L. Bankosh, H. McMahon, L. Orta, M. Richardson, D. Rocha, K. Struve, D. Taylor, S. Tippets, K. Wong, and T. Yoke.

2. TIME CERTAIN:

Chairperson Estremera confirmed that the Board would adjourn to Closed Session for consideration of Items 2.1 and 2.2.

During Closed Session Director Kremen was absent from discussion of Item 2.1, but joined the meeting by teleconference for consideration of Item 2.2.

4:00 PM

**2.1 CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL
INITIATION OF LITIGATION
Government Code Section 54956.9(d)(4)
One Potential Case**

2.2. CLOSED SESSION
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957(b)(1)
Title: CEO, District Counsel and Clerk of the Board

Upon return to Open Session, Director Kremen concluded his participation by teleconference and did not rejoin, and the same Board members, excluding Director Kremen, and staff were present.

6:00 PM

2.3. District Counsel Report on Closed Session.

Mr. Carlos Orellana, District Counsel, reported that in regard to Item 2.1, the Board met in Closed Session with all members present, excluding Director Kremen, and took no reportable action.

Chairperson Estremera reported that in regard to Item 2.2, the Board met in Closed Session with all members present, including Director Kremen, and took no reportable action.

2.4. Pledge of Allegiance/National Anthem.

Director Hsueh led all present in reciting the Pledge of Allegiance.

2.5. Orders of the Day.

Chairperson Estremera confirmed that there were no changes to the Orders of the Day.

2.6. Time Open for Public Comment on any Item not on the Agenda.

Chairperson Estremera declared time open for public comment on any item not on the agenda. There was no one present who wished to speak.

2.7. Presentation of the Santa Clara Valley Water District Youth Commission's (Youth Commission) Accomplishments Report and Recognition of the 2021 Outgoing Youth Commission Members.

Recommendation: A. Receive and accept the Youth Commission's Accomplishments Report; and
 B. Acknowledge and recognize the 2021 outgoing Youth Commission Members.

Ms. Glenna Brambill, Management Analyst II, reviewed the information on this item, per the attached Board Agenda Memo; and the corresponding Accomplishment Report contained in Attachment 1 was reviewed by Youth Commission members, as follows: Mr. Alden Hughes reviewed Page 11; Ms. Vaibhavi Kulkarni and Ms. Anika Kulkarni reviewed Page 12; and Mr. Michael Zhao reviewed Page 13.

The Board expressed appreciation for the participation of the Youth Commission members, and noted the information without formal action.

- 2.8. Consider Santa Clara Valley Water District Youth Commission's Recommendation for Blossom Hill Annex Pilot Mural Design Criteria from Commission's May 19, 2021 Meeting.

Recommendation: Approve the recommendation of the Santa Clara Valley Water District Youth Commission regarding the Pilot Mural Design Criteria.

Ms. Peggy Lam, Management Analyst I, reviewed the information on this item, per the attached Board Agenda Memo.

Move to Approve: Nai Hsueh
Second: Barbara Keegan
Yeas: Nai Hsueh, Barbara Keegan, Linda J. LeZotte, Richard Santos, John L. Varela, Tony Estremera
Nays: None
Abstains: None
Recuses: None
Absent: Gary Kremen
Summary: 6 Yeas; 0 Nays; 0 Abstains; 1 Absent.

3. **CONSENT CALENDAR:**

The Board considered Consent Calendar Items 3.1 through 3.6, under one motion.

- 3.1. Adopt Recommended Positions on State Legislation: AB 252 (R. Rivas and Salas) Multi-benefit Land Repurposing Incentive Program; AB 652 (Friedman) Juvenile Product Safety: Perfluoroalkyl and Polyfluoroalkyl Substances; *AB 897 (Mullin) Office of Planning and Research: Regional Climate Networks, Climate Adaptation Action Plans; and Other Legislation Which May Require Urgent Consideration for a Position by the Board.

Recommendation: A. Adopt a Position of "Support" on: AB 252 (R. Rivas and Salas) Multi-benefit Land Repurposing Incentive Program; and
B. Adopt a Position of "Support" on: AB 652 (Friedman) Juvenile Product Safety: Perfluoroalkyl and Polyfluoroalkyl Substances.
C. *Adopt a Position of "Support" on: AB 897 (Mullin) Office of Planning and Research: Regional Climate Networks, Climate Adaptation Action Plans.

- 3.2. Approve Amendment No. 2 to Agreement No. A4155R, with P.S. Creations, LLC for the PlateScape Project, a Safe, Clean Water FY 2018 Priority A Water Conservation Grant Agreement for a No-cost Extension of the Agreement to June 30, 2023.

Recommendation: Approve Amendment No. 2 to Agreement No. A4155R with P.S. Creations, LLC, to extend the Agreement expiration

date from June 30, 2021 to June 30, 2023, as a 24-month, no-cost extension.

- 3.3. Approve Amendment No. 2 to Agreement No. A4153R with Trust for Conservation Innovation, doing business as Multiplier, providing a 12-month no-cost extension of the agreement expiration date from June 30, 2021 to June 30, 2022, for the Beyond Leak Detection: Evaluating Water Conservation and Leak Notification Benefits of “Smart Home” Devices Project, a Safe, Clean Water and Natural Flood Protection Program Fiscal Year 2018 Priority A Water Conservation Program Grant Agreement.

Recommendation: Approve Amendment No. 2 to Agreement No. A4153R with Trust for Conservation Innovation, doing business as Multiplier, providing a 12-month no-cost extension of the agreement expiration date from June 30, 2021 to June 30, 2022, for the Beyond Leak Detection: Evaluating Water Conservation and Leak Notification Benefits of “Smart Home” Devices Project, a Safe, Clean Water and Natural Flood Protection Program Fiscal Year 2018 Priority A Water Conservation Program Grant Agreement.

- 3.4. Approve the Agreement with MBK Engineers for the CalSim 3 Modeling to Support Climate Impact Analysis on Water Supply Project, Project No. 91151001, CAS File No. 5173, for a Not-to-exceed Fee of \$350,000.

Recommendation: Approve the agreement with MBK Engineers for CalSim 3 Modeling to Support Climate Impact Analysis on Water Supply for a not-to-exceed fee of \$350,000.

- 3.5. Approval of Minutes.

Recommendation: Approve the minutes.

- 3.6. Accept the CEO Bulletin for the Weeks of June 4 through June 17, 2021.

Recommendation: Accept the CEO Bulletin.

Motion: Approve Consent Calendar Items 3.1 through 3.6 under one motion, as follows: adopt positions of “Support” on AB 252, AB 652, and AB 897, as contained in Item 3.1; approve Amendment No. 2 to Agreement No. A4155R with P.S. Creations, LLC, extending the agreement expiration date to June 30, 2021 at no-cost, as contained in Item 3.2; approve Amendment No. 2 to Agreement No. A4153R with Trust for Conservation Innovation, doing business as Multiplier, for a 12-month no-cost extension of the agreement to June 30, 2022, as contained in Item 3.3; approve the agreement with MBK Engineers for CalSim 3 Modeling to Support Climate Impact Analysis on Water Supply, for a not-to-exceed fee of \$350,000, as contained in Item 3.4; approve the Minutes, as contained in Item 3.5; and accept the CEO Bulletin, as contained in Item 3.6.

Move to Approve: Richard Santos
 Second: Nai Hsueh
 Yeas: Nai Hsueh, Barbara Keegan, Linda J. LeZotte,
 Richard Santos, John L. Varela, Tony Estremera
 Nays: None
 Abstains: None
 Recuses: None
 Absent: Gary Kremen
 Summary: 6 Yeas; 0 Nays; 0 Abstains; 1 Absent.

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

- 4.1. Adopt Resolution Placing in Nomination Director John L. Varela as Chair of the Association of California Water Agencies Region 5 Board.

Recommendation: Adopt the Resolution PLACING IN NOMINATION
 DIRECTOR JOHN L. VARELA AS CHAIR OF THE
 ASSOCIATION OF CALIFORNIA WATER AGENCIES
 (ACWA) REGION 5 BOARD.

The Board considered the item, without a staff presentation.

Motion: Adopt Resolution No. 21-72 PLACING IN NOMINATION
 DIRECTOR JOHN L. VARELA AS CHAIR OF THE
 ASSOCIATION OF CALIFORNIA WATER AGENCIES
 (ACWA) REGION 5 BOARD, by roll call vote.

Move to Adopt: Richard Santos
 Second: Nai Hsueh
 Yeas: Nai Hsueh, Barbara Keegan, Linda J. LeZotte,
 Richard Santos, John L. Varela, Tony Estremera
 Nays: None
 Abstains: None
 Recuses: None
 Absent: Gary Kremen
 Summary: 6 Yeas; 0 Nays; 0 Abstains; 1 Absent.

- 4.2. Consider the May 3, 2021, Board Policy and Planning Committee Recommendations Regarding Revisions to Board Governance Ends Policy E-2: Water Supply.

Recommendation: Consider the May 3, 2021, Board Policy and Planning
 Committee Recommendations Regarding Revisions to
 Board Governance Ends Policy E-2: Water Supply.

Mr. Vince Gin, Deputy Operating Officer, reviewed the information on this item, per the attached Board Agenda Memo.

Move to Accept: Nai Hsueh

Second: Linda J. LeZotte
Yeas: Nai Hsueh, Barbara Keegan, Linda J. LeZotte,
Richard Santos, John L. Varela, Tony Estremera
Nays: None
Abstains: None
Recuses: None
Absent: Gary Kremen
Summary: 6 Yeas; 0 Nays; 0 Abstains; 1 Absent.

4.3. Consider the March 1, 2021, Board Policy and Planning Committee Recommendations Regarding Modifications to Board Governance Ends Policy E-4: Water Resources Stewardship.

Recommendation: Consider the March 1, 2021, Board Policy and Planning Committee Recommendations Regarding Modifications to Board Governance Ends Policy E-4: Water Resources Stewardship

Ms. Lisa Bankosh, Assistant Officer, reviewed the information on this item, per the attached Board Agenda Memo.

Move to Approve: Richard Santos
Second: John L. Varela
Yeas: Nai Hsueh, Barbara Keegan, Linda J. LeZotte,
Richard Santos, John L. Varela, Tony Estremera
Nays: None
Abstains: None
Recuses: None
Absent: Gary Kremen
Summary: 6 Yeas; 0 Nays; 0 Abstains; 1 Absent.

4.4. MOVED TO 2.8

The Board noted that Item 4.4 had moved to Item 2.8.

4.5. Review Fiscal Year 2021 Board Policy Planning Calendar.

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

Ms. Michele King, Clerk, Board of Directors, reviewed the information on this item, per the attached Board Agenda Memo.

The Board noted the information without formal action.

4.6. Board Committee Reports.

The Board noted the information, without formal action.

4.7. Proposed Future Board Member Agenda Items.

None.

5. WATER UTILITY ENTERPRISE:

- 5.1. Report of Bids Received and Award of Construction Contract to NTK Construction, Inc. for the Rinconada Water Treatment Plant Interim Site Restoration Project, Project No. 93294057, Contract No. C0670 (Los Gatos), (District 7).

Recommendation: A. Ratify Addenda Nos. 1 and 2 to the Contract Documents for the Rinconada Water Treatment Plant Interim Site Restoration Project;
 B. Award the Construction Contract to NTK Construction, Inc. in the sum of \$2,271,660; and
 C. Approve a contingency sum of \$341,000 and authorize the Chief Executive Officer or designee to approve individual change orders up to the designated amount.

Mr. Heath McMahon, Deputy Operating Officer, reviewed the information on this item, per the attached Board Agenda Memo.

Move to Approve: Richard Santos
Second: John L. Varela
Yeas: Nai Hsueh, Barbara Keegan, Linda J. LeZotte,
 Richard Santos, John L. Varela, Tony Estremera
Nays: None
Abstains: None
Recuses: None
Absent: Gary Kremen
Summary: 6 Yeas; 0 Nays; 0 Abstains; 1 Absent.

6. WATERSHEDS:

None.

7. ASSISTANT CHIEF EXECUTIVE OFFICER:

Director Keegan left the meeting and returned as noted below.

- 7.1. Proposed Adjustments and Modifications to the Good Neighbor Program: Encampment Cleanup Project, Project F5 under the Renewed Safe, Clean Water and Natural Flood Protection Program.

Recommendation: A. Review Proposed Text Adjustments and Key Performance Indicator Modifications for Project F5: Good Neighbor Program: Encampment Cleanup under the renewed Safe, Clean Water and Natural Flood Protection Program; and
 B. Consider whether to set a time and place for a public hearing on the proposed modifications to the Project.

Ms. Jennifer Codianne, Deputy Operating Officer, and Ms. Jessica Collins, Watersheds Business Planning and Analysis Manager, reviewed the information on this item, per the attached Board Agenda Memo.

Motion: Approve Recommendations A and B, setting time and place for a public hearing to be held at 1:00 p.m., on July 13, 2021 via Zoom teleconference.

Move to Approve: Nai Hsueh
Second: Richard Santos
Yeas: Nai Hsueh, Linda J. LeZotte, Richard Santos, John L. Varela, Tony Estremera
Nays: None
Abstains: None
Recuses: None
Absent: Barbara Keegan, Gary Kremen
Summary: 5 Yeas; 0 Nays; 0 Abstains; 2 Absent.

Director Keegan returned.

- 7.2. Approve Agreement with Kleinfelder, Inc. for the Purified Water Program-Preliminary Geotechnical Pipeline Alignment Project, under the Indirect Potable Water Reuse Project No. 91304001, CAS File No. 5167, for a Not-to-Exceed Fee of \$1,107,408 (Cities of Palo Alto, Mountain View, Sunnyvale, Santa Clara, San Jose and Campbell) (Districts 2, 3, 4, 5 and 7).

Recommendation: Approve the Consultant Services Agreement with Kleinfelder, Inc. for the Purified Water Program – Preliminary Geotechnical Pipeline Alignment Project, for a not-to-exceed fee of \$1,107,408.

Mr. Henry Barrientos, Senior Water Resources Specialist, reviewed the information on this item, per the attached Board Agenda Memo.

Move to Approve: Richard Santos
Second: Nai Hsueh
Yeas: Nai Hsueh, Barbara Keegan, Linda J. LeZotte, Richard Santos, John L. Varela, Tony Estremera
Nays: None
Abstains: None
Recuses: None
Absent: Gary Kremen
Summary: 6 Yeas; 0 Nays; 0 Abstains; 1 Absent.

8. EXTERNAL AFFAIRS:

- 8.1. Valley Water Headquarters Campus Signage Update.

Recommendation: Receive information on the progress of the campus signage plans and consider options for the headquarters boardroom glass sign.

Ms. Jimin Lee, Public Info Representative II, reviewed the information on this item, per the attached Board Agenda Memo, and per the information contained in Attachment 8.1-A.

The Board requested that staff come back with an additional Boardroom Glass Sign alternative, mimicking the layout of Options 2 and 3, while removing the vertical line between *Santa Clara Valley Water District* and the Valley Water Logo from Option 2 and incorporating a color background on both. The Board also requested that staff investigate Boardroom lighting issues that prevent clear demonstration of the signage on Board meeting streaming videos.

The Board continued the item to a future meeting.

9. CHIEF EXECUTIVE OFFICER:

9.1. CEO and Chiefs' Report.

Ms. Sue Tippets, Chief Operating Officer, reported that the Calabazas/San Tomas Aquino Creek Marsh Connection Project had received \$3.37 million in grant funding from the San Francisco Bay Restoration Authority, and \$500,000 in Proposition 1 grant funding from the California Department of Fish and Wildlife.

Ms. Tina Yoke, Chief Operating Officer, introduced Mr. James Randol, newly appointed Emergency Safety and Security Manager.

Ms. Rachael Gibson, Chief of External Affairs, reviewed the information on the attached Office of Government Relations and Civic Engagement Updates, identified as Handouts 9.1-A and 9.1-B, respectively, herein. Copies of the Handouts were distributed to the Board and made available to the public.

10. ADMINISTRATION:

None.

11. DISTRICT COUNSEL:

None.

12. ADJOURN:

12.1. Board Member Reports/Announcements.

Director Varela reported attending a meeting with Mr. Victor Griego, Latinos for Water; a McMullin Area Groundwater Sustainability Agency *Aquaterra* virtual tour; a California Independent System Operator conference call on energy performance; the Valley Water *Taste of Inclusion* event; and various meetings with staff.

Director Keegan reported attending Board Audit Committee (BAC) and Board Policy and Planning Committee (BPPC) meetings; various Board meetings; and various meetings with staff.

Director Santos reported attending Berryessa Citizens Advisory Committee and Milpitas Rotary Club meetings; and various meetings with staff.

Director LeZotte reported attending the aforementioned BAC, BPPC, Special Board meetings; Water Conservation and Demand Management (WCDM) Committee and California Special Districts Association meetings; a Bay Area Council summit; a meeting with Mr. Chuck Bonham, California Department of Fish and Wildlife; and various meetings with staff.

Director Hsueh reported attending the aforementioned WCDM Committee meeting, and Special Board meetings; and various meetings with staff.

Director Estremera reported attending the aforementioned Valley Water *Taste of Inclusion* event; Recycled Water Committee, Budget Working Group, and Delta Conveyance Authority Board meetings; a farewell event for Senator Jim Beall; and various meetings with staff.

12.2. Clerk Review and Clarification of Board Requests.

Ms. Michele King, Clerk, Board of Directors, confirmed that there were no new Board Member Requests.

12.3. Adjourn to Regular Meeting at 1:00 p.m., on July 13, 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.

Chairperson Estremera adjourned the meeting at 7:10 p.m., to the 1:00 p.m. Regular meeting on July 13, 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.

Michele L. King, CMC
Clerk, Board of Directors

Approved:

Date:



BOARD OF DIRECTORS MEETING

MINUTES

**SPECIAL CLOSED SESSION MEETING
TUESDAY, JULY 6, 2021
12:00 PM**

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER:

A Special Closed Session Meeting of the Santa Clara Valley Water District (Valley Water) Board of Directors, conducted by Zoom Teleconference, was called to order in the Valley Water Headquarters Building Boardroom at 5700 Almaden Expressway, San Jose, California, at 12:00 p.m.

1.1 Roll Call.

Board members in attendance were Nai Hsueh, Barbara Keegan, Gary Kremen, Linda J. LeZotte, Richard Santos, John L. Varela, and Tony Estremera, constituting a quorum of the Board.

Staff members in attendance were M. King, Clerk, Board of Directors, and C. Orellana, District Counsel.

1.2. Pledge of Allegiance/National Anthem.

Director LeZotte led all present in reciting the Pledge of Allegiance.

1.3. Time Open for Public Comment on any Item not on the Agenda.

Chairperson Estremera declared time open for public comment on any item not on the agenda. There was no one present who wished to speak.

2. TIME CERTAIN:

12:00 PM

Mr. Carlos Orellana, District Counsel, noted for the record that Item 2.1. pertained to a litigation threat received relating to the complaint filed by the San Jose Silicon Valley NAACP.

Chairperson Estremera confirmed that the Board would adjourn to Closed Session for consideration of Items 2.1. and 2.2.

- 2.1. CONFERENCE WITH LEGAL COUNSEL
ANTICIPATED LITIGATION
Significant Exposure to Litigation
Pursuant to Government Code Section 54956.9(d)(2)
1 Potential Case
- 2.2. CLOSED SESSION
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957(b)(1)
Titles: CEO and District Counsel

Upon return to Open Session, the same Board members and staff were present.

3. ADJOURN:

- 3.1. District Counsel Report on Closed Session.

Chairperson Estremera reported that in regard to Items 2.1 and 2.2, the Board met in Closed Session with all members present, gave direction to staff on Item 2.1, and took no reportable action on Item 2.2.

- 3.2. Adjourn to 11:00 a.m. Closed Session and 1:00 p.m. Regular Meeting, on July 13, 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.

Chairperson Estremera adjourned the meeting at 2:30 p.m., to the 11:00 a.m. Closed Session and 1:00 p.m. Regular meeting on July 13, 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.

Michele L. King, CMC
Clerk, Board of Directors

Approved:

Date:



Santa Clara Valley Water District

File No.: 21-1092

Agenda Date: 10/12/2021

Item No.: *3.5.

BOARD AGENDA MEMORANDUM

SUBJECT:

Accept the CEO Bulletin for the Weeks of September 24 - October 7, 2021.

RECOMMENDATION:

Accept the CEO Bulletin.

SUMMARY:

The CEO Bulletin is a weekly communication for the CEO, to the Board of Directors, assuring compliance with Executive Limitations Policy EL-7: The BAOs inform and support the Board in its work. Further, a BAO shall: inform the Board of relevant trends, anticipated adverse media coverage, or material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established; and report in a timely manner an actual or anticipated noncompliance with any policy of the Board.

CEO Bulletins are produced and distributed to the Board weekly as informational items, and then placed on the bimonthly, regular Board meeting agendas to allow opportunity for Board discussion on any of the matters contained therein.

FINANCIAL IMPACT:

There is no financial impact associated with this item.

CEQA:

The recommended action does not constitute a project under CEQA because it does not have a potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

ATTACHMENTS:

Attachment 1: 100721 CEO Bulletin

UNCLASSIFIED MANAGER:

Rick Callender, 408-630-2017

CEO BULLETIN



To: Board of Directors
From: Rick L. Callender, CEO

Weeks of September 24 – October 7, 2021

Board Executive Limitation Policy EL-7:

The Board Appointed Officers shall inform and support the Board in its work. Further, a BAO shall 1) inform the Board of relevant trends, anticipated adverse media coverage, or material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established and 2) report in a timely manner an actual or anticipated noncompliance with any policy of the Board.

Item	IN THIS ISSUE
<u>1</u>	37th California Coastal Cleanup
<u>2</u>	Safe, Clean Water Grant Closeout: City of Campbell's Los Gatos Creek Trail Interpretive Signage and Receptacle Expansion Project
<u>3</u>	Sustainable Groundwater Management Act (SGMA) Compliance Update
<u>4</u>	<u>Kremen</u> Staff is to Provide Director Kremen with a copy of the first draft of the various financial schedules that will be included in the FY21 Annual Financial Report. I-21-0006

1. 37th California Coastal Cleanup

Valley Water, in partnership with the Creek Connections Action Group (CCAG), hosted the 37th annual Coastal Cleanup Day on Saturday, September 18, 2021 in Santa Clara County.

This year, the CCAG came together to host a hybrid effort, with Valley Water organizing in-person sites near the creeks as well as independent neighborhood cleanups where volunteers took to the streets using the CleanSwell app to track their own clean-up efforts. A total of 913 volunteers cleaned 99.5 miles of creeks and streets, removing approximately 28,085 pounds of trash, which included 1,347 pounds of recyclables. Some of the most interesting items that volunteers picked up included the following: sewing machine, unopened bag of golf tees, cell phone, firecrackers, piano, ceramic lawn ornaments, rubber duck, Christmas ornaments, toilet, and polaroid camera.

Valley Water will continue to leverage the momentum from the event to encourage volunteers to sign up for the Adopt-A-Creek Program and other Valley Water volunteer efforts, such as National River Cleanup Day in May of next year.

The CCAG is a consortium of public agencies and non-profit organizations that share a goal of protecting Santa Clara County's waterways. These agencies include Valley Water (Chair), Santa Clara County Parks and Recreation, the City of San José (Parks Recreation and Neighborhood Services, Environmental Services Department), City of Santa Clara, City of Palo Alto, City of Sunnyvale, City of Milpitas, City of Cupertino, West Valley Clean Water Program (City of Campbell, City of Monte Sereno, City of Saratoga, and the Town of Los Gatos), City of Morgan Hill, City of Gilroy, and City of Los Gatos.

For further information, please contact Marta Lugo at (408) 630-2237.

2. Safe, Clean Water Grant Closeout: City of Campbell's Los Gatos Creek Trail Interpretive Signage and Receptacle Expansion Project

In Fiscal Year 2018, Valley Water awarded the City of Campbell (Grantee) a \$33,731.28 Safe, Clean Water Program B7 Grant for their Los Gatos Creek Trail Interpretive Signage and Receptacle Expansion Project. The Grantee completed the Project in August of 2021 and provided the closeout materials in September of 2021.

The City of Campbell partnered with the Town of Los Gatos to install ten environmental outreach stations along the Los Gatos Creek Trail, adjacent to the Los Gatos Creek and percolation ponds. These stations included educational interpretive signage with environmental stewardship messages about litter and the health of riparian corridors. The Grantee installed pet waste and refuse/recycling stations next to the signs to encourage litter disposal to prevent stormwater pollution. The Grantee also conducted a month-long survey to track how community members utilize the trail and engage with the signage.

Key Outcomes:

- Installed 10 environmental outreach stations across 6.3 miles of the Los Gatos Creek Trail in Campbell and Los Gatos.
- Collected 12.25 tons of trash and 7.28 tons of recyclable materials a year after installation.
- Conducted a month-long survey with responses from 82 trail users:
 - 34% used the trail multiple times a week.
 - 76% of participants utilized the trash or recycling cans.
 - 73% of participants have noticed a reduction in trash and pet waste along the trail since August 2020.

For further information, please contact Marta Lugo at (408) 630-2237.

3. Sustainable Groundwater Management Act (SGMA) Compliance Update

The Sustainable Groundwater Management Act (SGMA) requires that a groundwater sustainability agency managing a medium- or high-priority basin adopt and implement a groundwater sustainability plan or prescribed Alternative. Valley Water's comprehensive 2016 Groundwater Management Plan for the high-priority Santa Clara and Llagas subbasins was approved by the Department of Water Resources as an Alternative in 2019. In accordance with SGMA, a five-year update of the Alternative is due to the state by January 1, 2022.

Valley Water plans to post the draft 2021 Groundwater Management Plan on October 8, 2021 for public review at the following website: <https://www.valleywater.org/your-water/where-your-water-comes/groundwater/sustainable>. An overview of the draft 2021 Groundwater Management Plan, including notable changes from the 2016 plan, will be provided at Valley Water's Water Conservation and Demand Management Committee meeting scheduled for October 25, 2021. The final 2021 Groundwater Management Plan is expected to be brought to the November 23, 2021 Board of Directors meeting for public hearing and plan adoption.

For further information, please contact Greg Williams at (408) 630-2867.

4. Kremen

Staff is to Provide Director Kremen with a copy of the first draft of the various financial schedules that will be included in the FY21 Annual Financial Report.

I-21-0006

On October 1, 2021, Valley Water provided Director Kremen with an excel file that contains a draft version of the various schedules to be incorporated into the Fiscal Year 2021 Annual Financial Report. A copy of the file can be obtained by contacting the Clerk of the Board.

For further information, please contact Darin Taylor at (408) 630-3068.

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Santa Clara Valley Water District

File No.: 21-1093

Agenda Date: 10/12/2021
Item No.: *4.1.

BOARD AGENDA MEMORANDUM

SUBJECT:

Board Committee Reports.

ATTACHMENTS:

- *Handout 4.1-A: 092021 CIP Summary
- *Handout 4.1-B: 092121 JRWAC (Sunnyvale) Summary
- *Handout 4.1-C: 092721 WCDM Summary
- *Handout 4.1-D: 092921 RAC Summary
- *Handout 4.1-E: 100421 AWAC Summary
- *Handout 4.1-F: 100521 RAC Summary
- *Handout 4.1-G: 101321 RAC Agenda
- *Handout 4.1-H: 101921 HEC Agenda



MEMORANDUM

FC 14 (02-08-19)

TO: Board of Directors

FROM: Director Nai Hsueh, Chair
Capital Improvement
Program Committee

SUBJECT: Capital Improvement Program Committee
September 20, 2021 Meeting Summary

DATE: September 29, 2021

This memorandum summarizes the September 20, 2021 Capital Improvement Program Committee (CIP) meeting where the following items were discussed:

1. Review Capital Project Monitoring – Construction Report.

The Committee received information on the status of capital projects in the construction phase.

Mr. Cook provided a detailed explanation of Item 16, ERP System Implementation delays and the negotiation with consultant resolving the additional costs related with the delay. The Committee made the following request: that staff incorporate any lessons learned of this project into the Consultant Agreement Compliance Report included in the Work Plan for November 2021, and use the project as a case study for implementation, compliance, non-performance, and extensions.

2. Coyote Pumping Plant Adjustable Speed Drives Replacement Project Update.

At last CIP meeting, the Committee expressed concern about lack of interests of the project that was reflected by a single SOQ received, and requested staff to evaluate the appropriate next step. Staff presented the pros and cons of two alternatives: A). continue with the process already in place and B). start a new process.

After thorough discussion, the Committee supported staff's proposal to proceed with alternative A, but directed staff to bring this item to the full Board for direction.

3. Receive Information on Consultant Agreement Amendments for Capital Projects.

The Committee received information on proposed amendments to the following consultant agreements for capital projects:

- Amendment No. 2 to Agreement A4242G with Cordoba Corporation for Executive Project Management Services for the Rinconada Water Treatment Plant Reliability Improvement Project No. 93294057 to extend the term of the Agreement retroactively by one year for a new expiration date of July 31, 2022, to allow the Consultant to provide construction management support for the Rinconada Water Treatment Plant Interim Site Restoration Project which is currently underway.
- Amendment No. 1 to Agreement A4224A with R.E.Y. Engineers, Inc. for on-call Land Surveying and Mapping Services for capital projects to extend the term of the Agreement by two years for a new expiration date of January 8, 2024, to allow the

Consultant to continue to provide assistance to Valley Water's LSMU and in support of capital projects on an on-call, as-needed basis.

4. Receive information on Change Orders to Anderson Dam Tunnel Project Construction Contract.

Staff reported there were no change orders executed in August 2021 for the Anderson Dam Tunnel Project Construction Contract.

5. Review 2021 Capital Improvement Committee Work Plan.

The Committee reviewed Work Plan items for October through December, and rescheduled the December 20, 2021 meeting to December 13, 2021. necessary.

Board member comments and suggestions can be forwarded to Natalie Dominguez, Assistant Deputy Clerk II, by email to ndominguez@valleywater.org or phone at (408)630-2659.



MEMORANDUM

FC 14 (01-02-07)

TO: Board of Directors

FROM: Joint Recycled Water
Advisory Committee
(City of Sunnyvale)

SUBJECT: Joint Recycled Water Advisory Committee
(City of Sunnyvale) Summary for
September 21, 2021

DATE: October 12, 2021

This memorandum summarizes agenda items from the regular meeting of Joint Recycled Water Advisory Committee (City of Sunnyvale) held on September 21, 2021.

Attendees:

Committee Members in attendance were: City of Sunnyvale Councilmembers: Hon. Gustav Larsson and Hon. Russ Melton. Valley Water Board Representatives: Director Tony Estremera (District 6), Director Gary Kremen (District 7), and Director Richard P. Santos (District 3).

Valley Water Staff in attendance were: Aaron Baker, Henry Barrientos, Glenna Brambill, Domingo Candelas, Keila Cisneros, Heath McMahon, Melanie Richardson, Charlene Sun, Kirsten Struve, and David Tucker.

Guests in attendance were: Ramana Chinnakotla and Mansour Nasser (City of Sunnyvale) and Sanjay Reddy (Carollo Engineers).

Public in attendance was: Director Linda J. LeZotte (Valley Water, District 4).

3. ACTION ITEMS:

3.1. ELECTION OF CHAIR AND VICE CHAIR

The Joint Recycled Water Advisory Committee (City of Sunnyvale) Committee by roll call and unanimous vote, elected Director Tony Estremera as Committee Chair and City of Sunnyvale Councilmember Hon. Gustav Larsson as Vice Chair.

3.2 UPDATE ON PURIFIED WATER PROGRAM INCLUDING PROJECT PARTNER COLLABORATIONS IN SANTA CLARA COUNTY

Ms. Kirsten Struve reviewed the following:

Summary from Agenda Memo:

Santa Clara Valley Water District's (Valley Water) 2040 Water Supply Master Plan (WSMP) recommends developing at least 24,000 acre feet per year (AFY) of additional potable water reuse (above a target of 33,000 AFY of non-potable reuse) by 2040. Valley Water has recently completed a Countywide Water Reuse Master Plan (CoRe Plan) that evaluates potable reuse opportunities throughout Santa Clara County, including identifying options for achieving the WSMP's water reuse targets.

In September 2020, the Board approved a Design-Build-Finance-Operate-Maintain (DBFOM) procurement process under a Public/Private Partnership (P3) to expand indirect potable reuse (IPR) and delivery to the Los Gatos Recharge System (LGRS) for subsequent groundwater replenishment. Staff was directed to launch a P3 procurement process once all necessary elements for an advanced water purification project were secured. Staff

is presently implementing the Board's potable reuse directive through an 11,200 AFY production facility to begin operation in 2028. This first phase of potable reuse will locate an advanced purification facility in either San José or Palo Alto due to the amount of treated wastewater available for the project.

The purified water implementation update includes:

Partnership with Cities:

- In December 2019 partnership agreement was developed between Mountain View, Palo Alto and Valley Water to advance resilient water reuse programs in the county. Staff continues to develop terms for a facility ground lease and Reverse Osmosis (RO) concentrate management options with City of Palo Alto staff.
- City of San José Councilmembers and Valley Water Board members have agreed to significantly expand discussions for a potential San Jose Purified Water Project.
- Meetings with municipalities along the conveyance route have occurred to gather feedback on the pipeline alignment, including with the City of Sunnyvale.

Procurement, Technical Analyses and Regulatory Agency discussion: Eight statements of qualifications were received based on a Request for Qualifications released. The RFP is being developed, including needed technical analysis and specifications and discussions with regulatory agencies. It is anticipated that the RFP will be released in early 2022.

Outreach: Staff continues to implement a comprehensive outreach plan to engage the public and build support for the program. Outreach objectives include building public support and acceptance, engaging key stakeholders, garner support from community leaders, keeping the public informed, and mitigating concerns for the project. Palo Alto, San Jose and Valley Water staff are meeting regularly to collaborate on outreach related to this project.

Environmental Analysis: In March 2021, Valley Water released a Notice of Preparation (NOP) as the first formal notification of its intent to proceed with the project. Staff have continued to gather requisite environmental and technical information as they prepare the draft EIR for release in late 2021 or early 2022.

The Joint Recycled Water Advisory Committee (City of Sunnyvale) discussed the following: RFQ's, negotiations with the Cities of Palo Alto and San Jose, RFP (next phase), determination of project site location, City of Sunnyvale's capital investments/cost structure, piping map, wastewater, water supply and drought emergency issues.

Director Tony Estremera, Ms. Melanie Richardson, Director Gary Kremen, and Mr. Ramana Chinnakotla were available to answer questions.

The Joint Recycled Water Advisory Committee (City of Sunnyvale) took no action.

3.3 COUNTYWIDE WATER REUSE MASTER PLAN

Mr. David Tucker reviewed the following:

Summary from Agenda Memo:

The item provides an update on the Santa Clara Valley Water District's (Valley Water) Countywide Water Reuse Master Plan (CoRe Plan), an integral component of Valley Water's Water Supply Master Plan. The objective of the CoRe Plan is to identify and evaluate future water reuse opportunities in collaboration with recycle water producers, wholesalers, retailers, users, and other interested stakeholders in Santa Clara County. Valley Water has set a goal of meeting at least 10% of the County's total water demand using recycled and purified water. Consequently, Valley Water developed a CoRe Plan that presents direction to provide up to 24,000 acre-feet per year of potable water reuse by 2028. The CoRe Plan (Attachment 2) was completed in June 2021 and accepted by the Valley Water Board of Directors at the August 10, 2021 Board meeting.

Since November 2018, the CoRe Plan has integrated over 15 critical engineering reports that form the Plan's reuse planning foundation and includes key stakeholder feedback into the Plan's key recommendations. The CoRe Plan has assembled the following technical memoranda into a planning compendium for future potable reuse implementation:

- Project Definition Technical Memorandum
- Baseline Analysis Technical Memorandum
- Conceptual Alternatives Technical Memorandum
- 1% Conceptual Alternatives Design
- Feasible Project Portfolios Technical Memorandum
- Draft Countywide Water Reuse Master Plan
- Non-Potable Onsite Reuse Survey
- Public Outreach and Engagement Survey
- California Water Reuse Governance Survey
- South Bay Water Recycling (SBWR) Master Plan Updates

The CoRe Plan represents the assemblage of these critical engineering and planning documents into a comprehensive water reuse planning document that describes available source water, relevant institutional arrangements, existing reuse systems, expanded reuse potential, feasible project portfolios, and initial cost and rate payer implications. Key benefits of the CoRe Plan include:

- Describes drought-resilient water reuse opportunities that could reduce our dependence on imported water and groundwater pumping,
- Supports habitat preservation and endangered species protection by reducing freshwater discharges to the South Bay and minimizes wastewater discharge to the Pajaro River in South County,
- Enhances estuarine ecosystem improvements, including freshwater fish habitat, in statewide watersheds resulting from reduced imported water reliance,
- Reduces the concentration of emerging contaminants in potable water reuse through advanced treatment techniques that reduces emerging environmental concerns with source waters, and
- Provides planning opportunities and water supply options with improved adaptation to anticipated climate change impacts.

The CoRe Plan represents an integrated plan after three years of technical planning, development of 10 water supply portfolios with indirect and direct potable reuse options, involvement of 60 stakeholder agencies, 60+ meetings and workshops, and 1200 pages of technical support documentation (Attachment 3). The Plan includes an Executive Summary, expanded discussion of fiscal and rate payer impacts, evaluation of on-site non-potable reuse opportunities, and options for phased project implementation.

Staff will present the vision underlying the master planning effort, the journey taken to develop the CoRe Plan, and the path ahead to support future potable reuse planning and implementation throughout the County and with emphasis in Sunnyvale.

The Joint Recycled Water Advisory Committee (City of Sunnyvale) discussed the following: speeding up project during the drought emergency, costs, potential environmental impacts, piping availability (diameter), purple piping, water quality concerns, purification facility, right of way map(s), funding/impact on water rates (water rate projections), and the Countywide Water Reuse Master Plan {CoRe Plan} (included in meeting packet) as a resource.

Ms. Kirsten Struve, Mr. Ramana Chinnakotla, Mr. Mansour Nasser, Director Tony Estremera, and Mr. Aaron Baker were available to answer questions.

The Joint Recycled Water Advisory Committee (City of Sunnyvale) took no action.

The next scheduled meeting will occur in December 2021.

If you have any questions or concerns, you may contact me at, gbrambill@valleywater.org or 1.408.630.2408.

Thank you.

Glenna Brambill, Management Analyst II,
Board Committee Liaison
Office of the Clerk of the Board



MEMORANDUM

FC 14 (01-02-07)

TO: Board of Directors

FROM: Water Conservation and Demand Management Committee

SUBJECT: Water Conservation and Demand Management Committee Meeting Summary for September 27, 2021

DATE: October 12, 2021

This memorandum summarizes agenda items from the Zoom meeting of the Water Conservation and Demand Management Committee held on September 27, 2021.

Attendees:

Board Members in attendance were: Committee Vice Chair, Director Nai Hsueh (District 5), Director Barbara Keegan (District 2), Committee Chair, Director Linda J. LeZotte (District 4).

Valley Water Staff members in attendance were: Joseph Aranda, Aaron Baker, Roseryn Bhudsabourg, Neeta Bijoor, Glenna Brambill, Justin Burks, Theresa Chinte, Vanessa De La Piedra, Philip Dolan, Melissa Fels, Paola Giles, Andy Gschwind, Jason Gurdak, Linh Hoang, Matt Keller, Jessica Lovering, Carlos Orellana, Melanie Richardson, Metra Richert, Don Rocha, Ashley Shannon, Kirsten Struve, Gregory Williams, and Jing Wu.

Guest Agencies in attendance were: Emiko Ancheta (City of Los Altos), Diane Asuncion (City of Santa Clara), Michael Bolzowski (California Water Service Company), Kurt Elvert, Andy Gere, John Tang and Bill Tuttle (San Jose Water Company-SJWC), Anthony Eulo and Chris Ghione (City of Morgan Hill), Katja Irvin (Sierra Club Loma Prieta Chapter), Jessie Maxfield (CA Depart of Fish and Wildlife-CDFW) and Jeff Provenzano (City of San José).

Public in attendance were: Esther, Kit Gordon, Carl Hilbrants, and William (Bill) Sherman.

ACTION ITEMS

4.1 MONTHLY UPDATE ON PROGRESS TOWARDS VALLEY WATER RESOLUTION 21-68'S WATER USE REDUCTION TARGET AND DROUGHT-RELATED WATER CONSERVATION EFFORTS

Ms. Neeta Bijoor reported on the following:

Summary from Meeting Agenda Memo:

On June 9, 2021, the Valley Water Board of Directors declared a water shortage emergency condition pursuant to California Water Code §350, called for water use restrictions of 15% compared to 2019, and urged the County of Santa Clara to proclaim a local emergency. The County adopted a Resolution ratifying the proclamation of a local emergency due to the drought on June 22, 2021.

The U.S. Drought Monitor Report from August 17, 2021, indicates that the majority of the County is in extreme drought, and the northeastern portion of the County is in exceptional drought. The Sierra Nevada snowpack, a primary source of imported water, is at 0% of average as of August 30, 2021, and 0% of average statewide.

Reflecting critically dry conditions across the state, the Central Valley Project and State Water Project have drastically reduced imported water allocations, which comprise half of Valley Water's typical annual water supply. Valley Water has been negotiating purchases of emergency transfer water supplies; however, potential state regulatory actions continue to pose significant uncertainty to water transfers. Of the 71,500 AF Central Valley Project Municipal and Industrial allocation, about 28,500 AF was conditionally approved Public Health & Safety water from Reclamation with deliveries of this water planned for July through October. To date in 2021, Valley Water has secured agreements for about 50,000 AF of transfer supplies (not taking into account conveyance losses across the Delta).

Furthermore, Valley Water is impacted by the unavailability of Anderson Reservoir as a surface water storage facility for the duration of the Anderson Dam Seismic Retrofit Project, which is expected to last 10 years. The loss of Anderson, lower imported water supplies, and uncertainty over emergency water transfers could result in rapid and significant drops in our groundwater levels and resulting in the potential for subsidence and dry wells. In South County, groundwater is the only drinking water supply.

Consequently, water conservation is an important strategy to help alleviate these negative impacts.

Water Conservation Outreach and Programs

Valley Water's multilingual water conservation campaign promotes water conservation as a way of life, being drought-ready, and Valley Water's many conservation programs. The campaign includes ads on TV, radio, online, social media and print. Valley Water's social media content has seen a dramatic increase in interest due to new water-conservation posts, "Drought Ready" videos and a contest highlighting water-saving tips. The contest will run through October with weekly winners receiving a bucket with free water conservation tools inside. Media interest continues to be high for drought and water-conservation content. Staff sent out a media advisory highlighting a video comparing reservoir levels from 2017 to 2021 and received several inquiries and interview requests. The video was also shared extensively on social media.

The Office of Communications and the Office of Government Relations facilitated 13 Speakers Bureau drought presentations in August and will continue to look at ways to increase and grow the program as staff is brought on to facilitate the effort and reach even more organizations and groups across Santa Clara County.

In August, the Education Outreach team reached 99 students through 8 virtual summer camp presentations and a "Wonders of Water Wednesday" presentation, all of which include drought themes and messaging. Additionally, in August, the Office of Civic Engagement held a virtual meeting with the Water Ambassadors, who are graduates of our 3-month long intensive Water 101 Academy, to discuss ways to help educate and engage their community on drought and conservation efforts.

Valley Water continues to conduct public outreach to encourage participation in Valley Water's conservation programs. Valley Water has received a significant increase in applications for our landscape rebates, requests for water-saving devices, and reports of water waste. In August, Valley Water received 376 applications for the Landscape Rebate Program, 974 orders for water-efficient devices from our website (a new record high) and 236 water waste reports. These are signs that people are taking this drought seriously and are taking actions to support water use reduction.

Valley Water has also published a new *Sustainable Landscape Guidelines* handbook, which provides in-depth tips on improving soil health, capturing rainwater, selecting climate-appropriate plants, and designing gardens in Santa Clara County.

Countywide Water Use Reduction

Valley Water is engaging with local government officials to encourage drought response actions. As of August 31, 2021, 11 of 15 cities in Santa Clara County have acted in response to the extreme drought conditions and to Valley Water's call to reduce water use by 15% compared to 2019 levels. These actions ranged from adopting local emergency resolutions to encouraging residents and businesses to use less water. Many jurisdictions also activated their citywide Water Shortage Contingency Plans to immediately implement mandatory water-use restrictions and other conservation measures.

Countywide, the percent change of water used compared to 2019 has been steadily decreasing since March 2021, showing that retailers, cities, and our communities are responding to the call for conservation. In March 2021, water use in Santa Clara County was 25% higher when compared to March 2019. In July 2021, Santa Clara County used 6% less water compared to July 2019. Valley Water anticipated that reducing water use countywide by 15% would be a gradual process, however it is encouraging to see the numbers trending in the right direction.

Currently, staff do not recommend adjusting Valley Water's 15% call for water use reduction but will bring a recommendation to the WaDMC and Board if drought and water supply conditions change and an adjustment to the call becomes necessary.

Model Water Efficient Ordinance for New Development

The Model Water Efficient New Development Ordinance (MWENDO) was developed in 2015 and updated in 2018 by a task force consisting of Valley Water, Santa Clara County, cities, and other stakeholders to ensure new

development meets strong water efficiency standards. The adoption of the MWENDO will be highlighted during the upcoming Drought Summit as a call to action to ensure water conservation becomes a way of life in Santa Clara County. The Drought Summit is planned for October 23 and is expected to be attended by local, state, and federal elected officials and stakeholders representing the region.

The Water Conservation and Demand Management Committee discussed the following: cities that have or have not taken action, October 23rd drought summit, water conservation a way of life having a clear and consistent message, watering days (cities' regulations), addressing the short-term and long-term planning, Drought Ordinance, Retailers' surcharges, violation fees, watering cars-driveways, other drought restrictions, and the Water Ambassadors taken an active role.

Mr. John Tang (SJWC), Mr. Aaron Baker and Ms. Linh Hoang were available to answer questions.

The Water Conservation and Demand Management Committee took no action.

4.2 STANDING ITEMS REPORT

Mr. Jason Gurdak reported on the following:

Summary from Meeting Agenda Memo:

Standing Items will allow regular reports from staff on subjects that may be of interest to the committee members.

Jason provided updates regarding Sustainable Groundwater Management Act (SGMA) recapped from the August 30, 2021, expected timeline:

- compliance still on track,
- First week of October: post the draft Alternative Plan on our website and send out an email to our interested parties list with a link the Plan and instructions on how the public can comment on the Plan.
- Oct 25, 2021, plan on walking this Committee through the updated Plan and hope to get the Committee's recommendation to go the full Board in November.

Board Resolution No. 18-04: At the last Committee meeting, Director Hsueh asked if we could provide this Committee with a refresher about the process adopted to regulate pumping under SGMA. As a high-level overview:

- When SGMA was passed, several retailers expressed concern about the new authority to regulate pumping, particularly regarding water rights.
- For nearly a year, this issue was explored in collaboration with stakeholders through this committee. The outcome was a proposed process to regulate groundwater extraction under SGMA, if needed.
- In February 2018, the Board adopted Resolution No. 18-04 that memorializes the process.
- While pumping regulation may never be needed, the board resolution:
 - ✚ Affirms the principles that help ensure continued groundwater sustainability
 - ✚ Provides transparency and certainty as to the steps we would take as basin conditions worsen, and
 - ✚ Avoid rigid responses that may be ineffective or unnecessary.
- The board resolution acknowledges that effective programs and coordination with water retailers have resulted in sustainable groundwater conditions. It also states that collaboration will continue to be the **preferred approach** to address observed or projected undesirable results, and that Valley Water regulation of pumping will only be considered if there is no viable alternative.
- The process identified in the resolution includes the follow basic steps:
 - ❖ identification of the issue and potential mitigation,
 - ❖ consultation with affected stakeholders to help develop an action plan, with a preference for voluntary action,
 - ❖ pumping regulation if voluntary action is not taken or is not successful, and
 - ❖ implementation, monitoring and reporting.
- Resolution No. 18-04 will be included in the 2021 Alternative Plan.

The Water Conservation and Demand Management Committee took no action.

The next regularly scheduled meeting is Monday, October 25, 2021, 11:00 a.m., 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-08-21.

If you have any questions or concerns, you may contact me at, gbrambill@valleywater.org or 1.408.630.2408.

Thank you!

Glenna Brambill, Management Analyst II,
Board Committee Liaison
Office of the Clerk of the Board



MEMORANDUM

FC 14 (01-02-07)

TO: Board of Directors

SUBJECT: Redistricting Advisory Committee Meeting
Summary for September 29, 2021

FROM: Redistricting Advisory
Committee

DATE: October 12, 2021

This memorandum summarizes agenda items from the outreach meeting of the Redistricting Advisory Committee held on September 29, 2021.

Attendees:

Committee Members in attendance were: Swanee Edwards (District 1), Emilie Gatfield (District 2), Michael Kraus (District 3), Michael Gross (District 4), Hon. Howard Miller (District 5), and Alfredo Morales (District 6).

Staff in attendance were: Roseryn Bhudsabourg, Glenna Brambill, Lisa Flores, Andy Gschwind, and Albert Le.

Consultants (Redistricting Partners) in attendance was: Kay Montplaisir.

Public in attendance was: Director Tony Estremera (Valley Water Board Chair, District 6)

3. ACTION ITEMS:

3.1 OUTREACH MEETING FOR DISTRICT 6

Ms. Kay Montpaisir reviewed the following:

Summary from Agenda Memo:

This meeting will focus on District 6 and provide insight on the Census data changes that occurred within the District. The meeting will provide community members the opportunity to create their own map that satisfies the one-person, one-vote test and ensures compliance with the federal Voting Rights Act. This meeting will also serve as an opportunity for the consultants to take note of any comments or suggestions the public may want to be reflected in the final map submission to the Valley Water Board of Directors.

The Redistricting Committee discussed the following: communities of interest, district deviations, and mapping tool.

The Redistricting Advisory Committee (RAC) took no action.

3.2 NEXT MEETING AND AGENDA ITEMS

Committee Chair Hon. Howard Miller reviewed the schedule and potential agenda items.

Summary from Agenda Memo:

Review schedule for upcoming meeting dates in 2021-2022.

The Committee was reminded that having a quorum is critical for the next few meetings until District 7's replacement is filled.

The next committee meeting is scheduled for Tuesday, October 5, 2021, 6:00 p.m.

If you have any questions or concerns, you may contact me at, gbrambill@valleywater.org or 1.408.630.2408.

Thank you.

Glenna Brambill, Management Analyst II,
Board Committee Liaison
Office of the Clerk of the Board



MEMORANDUM
FC 14 (01-02-07)

TO: Board of Directors

FRO Agricultural Water
Advisory Committee

SUBJECT: Agricultural Water Advisory Committee
Meeting Summary for October 4, 2021

DATE October 12, 2021

This memorandum summarizes agenda items from the regular meeting of the Agricultural Water Advisory Committee held on October 4, 2021.

Attendees:

Committee members in attendance were: Mitchell Mariani (District 1), William Cilker and David Vanni (District 3), Sheila Barry and Brent Bonino (District 4), Jan Garrod and Michael Miller (District 5), Tim Chiala and Robert (Bob) Long (District 6), and Peter Van Dyke (Loma Prieta Resource Conservation District).

Board members in attendance were: Director Nai Hsueh (District 5), Board Alternate, Director Richard P. Santos (District 3), and Director John L. Varela (District 1), Board Representatives.

Staff members in attendance were: Aaron Baker, Neeta Bijoor, Glenna Brambill, Justin Burks, Vincent Gin, Chris Hakes, Katrina Holden, Ryan McCarter, Metra Richert, Kirsten Struve, and Darin Taylor.

Guest in attendance were: Michael Johnson (California H₂Corticulture Services).

Public in attendance was: Director Linda J. LeZotte (Valley Water Board Member, District 4).

4. ACTION ITEMS

4.1 DROUGHT RESPONSE UPDATE

Ms. Neeta Bijoor reported on the following:

Summary from Meeting Agenda Memo:

On June 9, 2021, the Valley Water Board of Directors declared a water shortage emergency condition pursuant to California Water Code §350, called for water use restrictions of 15% compared to 2019, and urged the County of Santa Clara to proclaim a local emergency. The County of Santa Clara proclaimed a local emergency on June 15, which was ratified by the Board of Supervisors on June 22.

The U.S. Drought Monitor Report from August 17, 2021, indicates that the majority of the County is in extreme drought, and the northeastern portion of the County is in exceptional drought. The Sierra Nevada snowpack, a primary source of imported water, is at 0% of average as of August 30, 2021, and 0% of average statewide.

Reflecting critically dry conditions across the state, the Central Valley Project and State Water Project have drastically reduced imported water allocations, which comprise half of Valley Water's typical annual water supply. Valley Water has been negotiating purchases of emergency transfer water supplies; however, potential state regulatory actions pose significant uncertainty to water transfers. Of the 71,500 AF Central Valley Project Municipal and Industrial allocation, about 28,500 AF was conditionally approved Public Health & Safety water from Reclamation with deliveries of this water planned for July through October. To date in 2021, Valley Water has secured agreements for about 50,000 AF of transfer supplies (not taking into account conveyance losses across the Delta).

Furthermore, Valley Water is impacted by the unavailability of Anderson Reservoir as a surface water storage facility for the duration of the Anderson Dam Seismic Retrofit Project, which is expected to last 10 years. The loss of Anderson, lower imported water supplies, and uncertainty over emergency water transfers could result in rapid and significant drops in our groundwater levels and resulting in the potential for subsidence and dry wells. In South County, groundwater is the only drinking water supply. Consequently, water conservation is an important strategy to help alleviate these negative impacts.

Water Conservation Programs

Valley Water continues to conduct public outreach to encourage water conservation and participation in Valley Water's conservation programs. Participation in these programs has increased dramatically in 2021.

Valley Water is also conducting monthly meetings with the Farm Bureau to highlight Valley Water's conservation programs. Director Santos and Director Varela are participating in these meetings. The first meeting was held on August 27, 2021.

As part of Resolution 21-68 adopted on June 9, 2021, Valley Water commits to aggressively promote water conservation programs to all water users including agriculture and urges Santa Clara County farmers to consider the water shortage emergency condition in planting and irrigation practices. Valley Water mailed letters to agricultural groundwater pumpers in July 2021 to inform them of the call for water use reduction and encourage participation in Valley Water's conservation programs. Valley Water has several conservation programs for agriculture, such as the Mobile Irrigation Lab, and is currently developing an agricultural water use baseline study.

Countywide Water Use Reduction

Valley Water is engaging with local government officials to encourage drought response actions. As of August 31, 2021, 11 of 15 cities in Santa Clara County have acted in response to the extreme drought conditions and to Valley Water's call to reduce water use by 15% compared to 2019 levels. These actions ranged from adopting local emergency resolutions to encouraging residents and businesses to use less water. Many jurisdictions also activated their citywide Water Shortage Contingency Plans to immediately implement mandatory water-use restrictions and other conservation measures.

Countywide, the percent change of water used compared to 2019 has been steadily decreasing since March 2021, showing that retailers, cities, and our communities are responding to the call for conservation. In March 2021, water use in Santa Clara County was 25% higher when compared to March 2019. In July 2021, Santa Clara County used 6% less water compared to July 2019. Valley Water anticipated that reducing water use countywide by 15% would be a gradual process, however it is encouraging to see the numbers trending in the right direction.

The Agricultural Water Advisory Committee (Mr. Peter Van Dyke and Mr. Jan Garrod) discussed the following: waste water, irrigating fields, recycling water runoff, and imported/semitropic water.

Ms. Kirsten Struve, Mr. Justin Burks, and Mr. Vincent Gin were available to answer questions.

The Agricultural Water Advisory Committee took no action.

4.2 AGRICULTURAL MOBILE IRRIGATION LAB AND AGRICULTURAL WATER USE BASELINE STUDY UPDATE

Ms. Metra Richert and Mr. Michael Johnson (California Horticulture Services) reported on the following:

Summary from Meeting Agenda Memo:

The Agricultural Water Use Baseline Study (Study) was initiated in April 2019 based on a recommendation from the Water Conservation and Demand Management Committee (WCaDMC) meeting to better understand current agricultural water use practices and identify opportunities for additional water conservation. The Study is making progress after a delay caused by the original contractor pulling out of the project. Through a new agreement with the UC Regents, their team has made progress using a remote-sensing based data approach to determine patterns in crop distribution and irrigation technology verification. The team will continue their analysis and the Study is on track to be completed by the end of 2023. A local subject matter expert has also been added to assist the team in

determining if potential water efficiency program and projects make sense for the Santa Clara County agricultural community. Staff will keep the Committee updated on the progress of the Study.

Additionally, under this agenda item, Santa Clara Valley Water District's Agricultural Mobile Irrigation Lab (Mobile Lab) contractor, Michael Johnson of California H2orticulture will present an overview of the program to the Committee. The Mobile Lab provides technical services for growers in Santa Clara County including:

- Irrigation system evaluations,
- Seasonal irrigation and soil moisture monitoring,
- Irrigation system design consultation,
- Irrigation scheduling decision support, and
- Connecting growers to network of agency resources.

The presentation will include an overview of the program, benefits of participation, and examples of the evaluations performed.

The Agricultural Water Advisory Committee discussed the following: SME for study, study will show whether 80% efficiency is realistic, crop water usage, and the soil's efficiency.

Mr. Vincent Gin was available to answer questions.

The Agricultural Water Advisory Committee took no action.

4.3 PACHECO RESERVOIR EXPANSION PROJECT UPDATE

Mr. Ryan McCarter reported on the following:

Summary from Meeting Agenda Memo:

As the PREP Team completes the project planning phase, significant progress is being made on the draft Environmental Impact Report (EIR) and engineering design. Updates to the project development, funding, and financing are provided below.

Project Development

Staff has received a draft Staff Recommended Alternative (SRA) Report summarizing the alternatives analysis and planning activities. A Planning Study Report (PSR) will be prepared and submitted to the Board of Directors once the SRA Report is finalized. Staff anticipates the PSR will be complete and submitted in November 2021. This will substantially complete the PREP Planning Phase.

Staff is currently reviewing the administrative draft of the Draft Environmental Impact Report (DEIR) that is due to be released for public review and comment in November 2021. A public meeting is being planned for January 2022 to present a summary of the DEIR content and the California Environmental Quality Act (CEQA) process.

The 30% design level plans, specifications, and construction cost estimate are being prepared. Staff has been working with the consultant team to develop the basis of design for several different project elements to be compiled into the 30% design package.

Water Storage Investment Program (WSIP)

On July 24, 2018, the California Water Commission (CWC) awarded Valley Water \$484.6 million of Maximum Conditional Eligibility Determination (MCED) funding for PREP under the State's Water Storage Investment Program (WSIP) program. The MCED was increased to \$496.7 million on February 3, 2021, to reflect an inflation adjustment of approximately 1%. Valley Water executed an Early Funding Agreement with the State on December 10, 2018 for \$24.2 million to fund a portion of certain eligible project costs, including costs related to permitting oversight and coordination, environmental documentation and permit support, data review and problem definition, alternatives analysis, staff-recommended alternative, planning study report and state feasibility report, environmental documentation and regulatory compliance, geotechnical data collection and investigations and 30% basis of design report.

To remain eligible for the \$496.7 million MCED, Valley Water is statutorily required to meet the following milestones prior to January 1, 2022:

1. All feasibility studies are complete – The State Feasibility Report is being updated with the most current project information.
2. Draft environmental documentation is available for public review – The draft EIR is targeted for release in November 2021.
3. The Director of the Department of Water Resources (DWR) receives commitments for not less than 75 percent of the non-public benefit cost shares of the project – Board approval of a Resolution will be recommended in November 2021.

Staff presented a project update and timeline for the milestones above to the CWC at a regular meeting on August 18, 2021. The CWC will make a determination whether the project is feasible and eligible for the MCED at their December 15, 2021, meeting prior to the January 1, 2022, deadline.

Water Infrastructure Finance and Innovation Act (WIFIA)

The WIFIA loan program is a low-cost federal loan program that is subject to annual Congressional budget appropriations. Staff anticipates the WIFIA loan will save Valley Water \$1 million in debt service cost for every \$100 million in loan principal. Should Valley Water be successful in obtaining the full \$1.2 billion WIFIA loan for the PREP, the potential cost saving is approximately \$12 million per year, up to \$420 million in total debt service savings over a 35-year loan repayment period.

In April 2021, the Environmental Protection Agency (EPA) accepted Valley Water's Letter of Interest (LOI) submitted in October 2020 for \$660 million for the PREP, which was approximately 49% of the then estimated project cost of \$1.3 billion based on the FY 2021 Capital Improvement Plan (CIP). The EPA provided guidance for Valley Water to submit a second LOI in 2021 to secure an additional \$575 million in WIFIA loan to ensure Valley Water will receive the full \$1.2B WIFIA loan to fund 49% of the current project cost. The 2021 LOI was submitted to the EPA in July 2021 and an announcement from the EPA on project selection is expected in October/November 2021. Staff anticipates the full loan application will be submitted by April 2022 with loan closing for the full \$1.2B loan amount by Dec 2022. Staff anticipates that the draft loan agreement will be presented for Board approval in the fall of 2022, prior to final loan closing.

Partnerships

Project partnership discussions have progressed with one interested agency which has initiated specific analysis of storage, transfer, and exchange scenarios. The team continues modeling of different operations to provide storage and exchange benefits to other potential partners. The PREP Team is engaging with consultants specializing in water marketing and economics to develop a scope of work for assistance with partnership opportunities, negotiations, and further analysis.

The Agricultural Water Advisory Committee (Mr. Dave Vanni, Mr. Peter Van Dyke, Ms. Sheila Barry, Mr. Jan Garrod, Mr. Tim Chiala, and Mr. Mitchell Mariani) discussed the following: dam's total depth, foundational concerns, environmental studies, Henry Coe State Park, organized opposition, pushing the project through, water being pumped, funding, and writing support letters.

The Agricultural Water Advisory Committee took no action.

5. INFORMATION ITEM

5.1 WORKING GROUP REPORT UPDATE

Mr. Peter Van Dyke reported on the following:

Summary from Meeting Agenda Memo:

At the Agricultural Water Advisory Committee's July 12, 2021, meeting, the committee voted to approve forming a working group to research and find solutions on water supply concerns (cofferdams).

The Working Group volunteers are: Ms. Sheila Barry, Mr. Tim Chiala, Mr. Jan Garrod, Mr. Robert (Bob) Long and Mr. Peter Van Dyke.

The Agricultural Water Advisory Committee Working Group reported on discussing the following: drought, conservation, fallowing ground, regulatory agencies, treated water, writing support letters, catch basins and stormwater capture.

The Board Representatives encouraged the Committee Members to become more active in getting the message out about the importance of agriculture and more so during the drought and partnering with the Farm Bureau and Association of California Water Agencies (ACWA).

Ms. Kirsten Struve was available to answer questions.

The Agricultural Water Advisory Committee took no action.

The Agricultural Water Advisory Committee adjourned the meeting in memory of Mr. Alfred (Fred) Angelino a former Committee Member who passed at age 104, September 17, 2021, and was the consummate farmer.

The next regularly scheduled meeting is Monday, January 3, 2022, 1:30 p.m., 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-08-21.

If you have any questions or concerns, you may contact me at, gbrambill@valleywater.org or 1.408.630.2408.

Thank you!

Glenna Brambill, Management Analyst II,
Board Committee Liaison
Office of the Clerk of the Board

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MEMORANDUM

FC 14 (01-02-07)

TO: Board of Directors

SUBJECT: Redistricting Advisory Committee Meeting
Summary for October 5, 2021

FROM: Redistricting Advisory
Committee

DATE: October 12, 2021

This memorandum summarizes agenda items from the outreach meeting of the Redistricting Advisory Committee held on October 5, 2021.

Attendees:

Committee Members in attendance were: Swanee Edwards (District 1), Emilie Gatfield (District 2), Michael Kraus (District 3), Hon. Howard Miller (District 5), and Alfredo Morales (District 6).

Staff in attendance were: Roseryn Bhudsabourg, Glenna Brambill, Andy Gschwind, and Clarissa Sangalang.

Consultants (Redistricting Partners) in attendance was: Kay Montplaisir.

Public in attendance was: Director Nai Hsueh (Valley Water Board Member, District 5).

3. ACTION ITEMS:

3.1 OUTREACH MEETING FOR DISTRICT 5

Ms. Kay Montpaisir reviewed the following:

Summary from Agenda Memo:

This meeting will focus on District 5 and provide insight on the Census data changes that occurred within the District. The meeting will provide community members the opportunity to create their own map that satisfies the one-person, one-vote test and ensures compliance with the federal Voting Rights Act. This meeting will also serve as an opportunity for the consultants to take note of any comments or suggestions the public may want to be reflected in the final map submission to the Valley Water Board of Directors.

The Redistricting Committee discussed the following: separate district deviations, state's threshold is 10% deviation, community of interest identifiable by district, sharing of meeting information is permissible, DistrictR mapping tool, and census blocks have to be maintained.

The Redistricting Advisory Committee (RAC) took no action.

3.2 NEXT MEETING AND AGENDA ITEMS

Committee Chair Hon. Howard Miller reviewed the schedule and noted the next meeting is Wednesday, October 13, 2021, at 6:00 p. m. via Zoom.

Summary from Agenda Memo:

Review schedule for upcoming meeting dates in 2021-2022.

The Redistricting Advisory Committee (RAC) took no action.

The next committee meeting is scheduled for Wednesday, October 13, 2021, 6:00 p.m.

If you have any questions or concerns, you may contact me at, gbrambill@valleywater.org or 1.408.630.2408.

Thank you.

Glenna Brambill, Management Analyst II,
Board Committee Liaison
Office of the Clerk of the Board



Santa Clara Valley Water District Redistricting Advisory Committee Meeting

Teleconference Zoom Meeting

Join Zoom Meeting:

<https://valleywater.zoom.us/j/82398761452>

MEETING - DISTRICT 4 AGENDA

**Wednesday, October 13, 2021
6:00 PM**

District Mission: Provide Silicon Valley safe, clean water for a healthy life, environment and economy.

**REDISTRICTING ADVISORY
COMMITTEE**

Hon. Howard Miller, Committee Chair
Ms. Emile Gatfield, Committee Vice
Chair

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. 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.

Mr. Don Rocha (Staff Liaison)
Deputy Administrative
Officer

Ms. Glenna Brambill
(COBLiaison)
Management Analyst II
gbrambill@valleywater.org
1-408-630-2408

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
Redistricting Advisory Committee
MEETING - DISTRICT 4
AGENDA**

Wednesday, October 13, 2021

6:00 PM

Teleconference Zoom Meeting

IMPORTANT NOTICES

This meeting is being held in accordance with the Brown Act as currently in effect and Santa Clara Valley Water District Resolution 21-85, adopted on September 28, 2021, in compliance with the provisions of AB361 (Rivas), that allows attendance by members of the Board of Directors, Board Committees, District staff, and the public to conduct and participate in meetings of the legislative bodies by teleconference, videoconference, or both.

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.

Santa Clara Valley Water District (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 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 <https://emma.msrb.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/82398761452>

Dial by your location
+1 669 900 9128 US (San Jose)
Meeting ID: 823 9876 1452

1. CALL TO ORDER:

1.1. Roll Call.

2. APPROVAL OF MINUTES:

2.1. Approval of Meeting Minutes.

[21-1087](#)

Recommendation: A. Approve the October 5, 2021, Meeting Minutes.
B. Approve the corrected September 22, 2021, and
September 29, 2021, Meeting
Minutes.

Manager: Candice Kwok-Smith, 408-630-3193

Attachments: [Attachment 1: 10052021 RAC DRAFT Mins](#)
[Attachment 2: 09222021 RAC Minutes](#)
[Attachment 3: 09292021 RAC Minutes](#)

3. ACTION ITEMS:

3.1. Redistricting Outreach Meeting for District 4.

[21-1088](#)

Recommendation: Receive information on the newly released Census data for
District 4.

Manager: Don Rocha, 408-630-2338

Attachments: [Attachment 1: Outreach Presentation](#)

Est. Staff Time: 60 Minutes

3.2. Next Meeting and Agenda Items.

[21-1089](#)

Recommendation: Discuss and confirm next meeting date and agenda items.

Manager: Candice Kwok-Smith, 408-630-3193

Attachments: [Attachment 1: Schedule](#)

4. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.

This is an opportunity for the Clerk to review and obtain clarification on any formally moved, seconded, and approved requests and recommendations made by the Committee during the meeting.

- 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 Committee 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 Committee Chair in order requests are received and granted speaking access to address the Committee. Speakers comments should be limited to two minutes or as set by the Chair. The law does not permit Committee action on, or extended discussion of, any item not on the agenda except under special circumstances. If Committee 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 Committee may take action on any item of business appearing on the posted agenda.*

6. ADJOURN:

- 6.1. Adjourn to Regular Meeting at 6:00 p.m., on Wednesday, October 20, 2021, to be called to order in compliance with the Brown Act as currently in effect and Santa Clara Valley Water District Resolution 21-85, adopted on September 28, 2021, in compliance with the provisions of AB361 (Rivas).



Santa Clara Valley Water District Homeless Encampment Committee Meeting

Teleconference Zoom Meeting

REGULAR MEETING AGENDA

**Tuesday, October 19, 2021
2:00 PM**

District Mission: Provide Silicon Valley safe, clean water for a healthy life, environment and economy.

BOARD COMMITTEE MEMBERS:

Committee Chair:
Director Richard P. Santos, District 3

Committee Vice Chair:
Director Tony Estremera, District 6

Director John L. Varela, District 1

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COMMITTEE LIAISON:
Sue Tippetts

COMMITTEE CLERK:
Natalie Dominguez, CMC
Assistant Deputy Clerk II
408-265-2659
ndominguez@valleywater.org
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
Homeless Encampment Committee
REGULAR MEETING
AGENDA**

Tuesday, October 19, 2021

2:00 PM

Teleconference Zoom Meeting

IMPORTANT NOTICES

This meeting is being held in accordance with the Brown Act as currently in effect and Santa Clara Valley Water District Resolution 21-85, adopted on September 28, 2021, in compliance with the provisions of AB361 (Rivas), that allows attendance by members of the Board of Directors, Board Committees, District staff, and the public to conduct and participate in meetings of the legislative bodies by teleconference, videoconference, or both.

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Join Zoom Meeting:

<https://valleywater.zoom.us/j/83937945203>

Meeting ID: 839 3794 5203

Join by Phone: 1 (669) 900-9128, 83937945203#

1. CALL TO ORDER:

1.1. Roll Call.

2. 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 Committee 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 Committee Chair in order requests are received and granted speaking access to address the Committee. Speakers comments should be limited to three minutes or as set by the Chair. The law does not permit Committee action on, or extended discussion of, any item not on the agenda except under special circumstances. If Committee 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 Committee may take action on any item of business appearing on the posted agenda.

3. APPROVAL OF MINUTES:

3.1. Approval of July 20, 2021 Homeless Encampment Committee Meeting [21-1121](#)
Minutes.

Recommendation: Approve the minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 072021 HEC Meeting Minutes](#)

Est. Staff Time: 5 Minutes

4. ACTION ITEMS:

- 4.1. Review and Consider Homeless Encampment Committee Name and Purpose. [21-1046](#)
Recommendation: A. Review and discuss the Homeless Encampment Committee name and purpose;
B. Update the Committee purpose to remove obsolete language and align with current approaches; and
C. Choose one of three (3) staff-recommended options to address whether to update the Committee name.
Manager: Sue Tippetts, 408-630-2253
Est. Staff Time: 5 Minutes
- 4.2. Update on Fencing Repair Contractor Response Times. [21-1047](#)
Recommendation: Receive information regarding the expected response time of Valley Water's recently retained fencing repair contractor.
Manager: Sue Tippetts, 408-630-2253
Est. Staff Time: 5 Minutes
- 4.3. Regular Update on Discussions with the County of Santa Clara Related to the Creation of a Memorandum of Understanding to Coordinate Responses to County Waterways Challenges. [21-1048](#)
Recommendation: Receive an update on Valley Water's ongoing discussions with the County of Santa Clara (County) related to the potential creation of a Memorandum of Understanding (MOU) for the purpose of coordinated responses to challenges around waterways throughout Santa Clara County.
Manager: Sue Tippetts, 408-630-2253
Est. Staff Time: 5 Minutes
- 4.4. Review 2021 Homeless Encampment Committee Work Plan. [21-1122](#)
Recommendation: A. Review the 2021 Homeless Encampment Committee Work Plan, and make adjustments as necessary; and
B. Select a date for the next Homeless Encampment Committee meeting.
Manager: Michele King, 408-2630-2711
Attachments: [Attachment 1: 2021 HEC Work Plan](#)
[Attachment 2: 2022 HEC Work Plan - Draft](#)
Est. Staff Time: 5 Minutes

5. INFORMATION ITEMS.

6. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.

This is an opportunity for the Clerk to review and obtain clarification on any formally moved, seconded, and approved requests and recommendations made by the Committee during the meeting.

7. ADJOURN:

- 7.1. Adjourn to the next Regular Meeting to be called to order by the Committee Chair in compliance with the Brown Act as currently in effect and Santa Clara Valley Water District Resolution 21-85, adopted on September 28, 2021, in compliance with the provisions of AB361 (Rivas).

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Santa Clara Valley Water District

File No.: 21-1057

Agenda Date: 10/12/2021

Item No.: 5.1.

BOARD AGENDA MEMORANDUM

SUBJECT:

Receive the Capital Improvement Program Committee's September 20, 2021 Request for Staff to Present to the Board the Recommendation to Proceed to the Request For Proposal Stage With a Single Proposer for the Coyote Pumping Plant Adjustable Speed Drive Replacement Project, Project No. 91234002, (Morgan Hill), (District 1).

RECOMMENDATION:

- A. Receive an update on the Coyote Pumping Plant Adjustable Speed Drive Replacement Project Design-Build Request for Qualifications;
- B. Approve staff's recommendation to proceed with a single proposer, as supported by the Capital Improvement Program Committee during their September 20, 2021 meeting; and
- C. Provide direction to staff as necessary.

SUMMARY:

The objectives of the Coyote Pumping Plant Adjustable Speed Drives (ASD) Replacement Project (Project) are to plan, design, and construct improvements to replace six ASD and associated mechanical, electrical, and control equipment at the Coyote Pumping Plant.

The Board of Directors approved implementing the design-build project delivery method for the Project at the March 12, 2019 Board Meeting. The Board also approved a Consultant Agreement with Brown and Caldwell, Inc. for planning, preliminary design, and design-build procurement support services.

Staff completed the planning and preliminary design and posted a Request for Qualifications (RFQ) from design-build entities on June 2, 2021. Staff conducted a prequalification meeting on June 18, 2021, which was attended by twenty-three attendees from fourteen different contractors/designers/suppliers. Staff received one Statement of Qualifications (SOQ) by the due date of July 29, 2021.

At the August 16, 2021 Capital Improvement Program (CIP) Committee Meeting, the Committee requested that staff re-evaluate the project with regard to the design-build RFQ/RFP process and

return with a recommendation.

Subsequently, staff presented two options to move forward with the Project at the September 20, 2021 CIP Committee Meeting, which are further outlined in Attachment 1. Option A allows staff to proceed to the RFP stage with a single proposer and Option B requires that staff restart the process by reissuing the RFQ after completing targeted changes to encourage participation. Outreach to electrical and general contractors indicates limited potential for additional SOQs if the RFQ were re-issued. The primary feedback received was that electrical contractors capable of performing this type of work are so busy that they are having difficulty finding the resources necessary to staff projects.

Staff recommends proceeding with Option A and the CIP Committee members are supportive of this recommendation after thoroughly discussing the pros and cons of each option, but advised staff bring the item to the full Board for concurrence.

Project Background

Valley Water operates and maintains the Coyote Pumping Plant, which is owned by the United States Bureau of Reclamation (USBR) and is a part of the USBR's San Felipe Division of the Central Valley Project. The Coyote Pumping Plant is a pump station that increases the pressure in pipelines conveying raw water from San Luis Reservoir to Valley Water's raw water distribution system and to Anderson Reservoir; and from Anderson Reservoir to the raw water distribution system. The Project will replace the ASDs, instrumentation and control equipment, and electrical distribution system components. The Project will also improve plant operation and reliability while reducing operation and maintenance costs.

At the March 12, 2019 Board Meeting, staff recommended the Project be designed and constructed using the design-build project delivery method for the following reasons:

1. Time Savings: long lead items, such as the ASDs and switchgear, can be selected and ordered at the earlier stages of design, thereby shortening the overall Project schedule.
2. Improves Project Coordination: the Project includes the design and installation of complex electrical, mechanical, and control systems that require a system integrator. In the traditional design-bid-build delivery method, such systems are "designed" by the design engineer and then installed/integrated by the construction contractor. The installation/integration as performed by the contractor can result in strong differences of opinion between the designer and contractor, resulting in change orders for resolution and extended time for completion of work. In the design-build approach, the construction contractor's integrator would already be working on the Project during final design and would work with the designer to resolve issues before construction begins. This could result in both time and cost savings as well as a better quality system for long-term operations.
3. Optimizes Plant Shutdowns: plant shutdowns will be required to install the new ASDs and associated equipment and to perform system integration. With the design-build approach, Valley Water and the design-build entity would evaluate alternative ways to sequence and optimize the work to be completed during each shutdown. This would benefit day-to-day water supply operations and could potentially reduce the construction duration.

FINANCIAL IMPACT:

There is no financial impact associated with approving staff's recommendation.

CEQA:

The recommended action does not constitute a project under CEQA because it does not have the potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

ATTACHMENTS:

Attachment 1: PowerPoint

UNCLASSIFIED MANAGER:

Heath McMahon, 408-630-3126



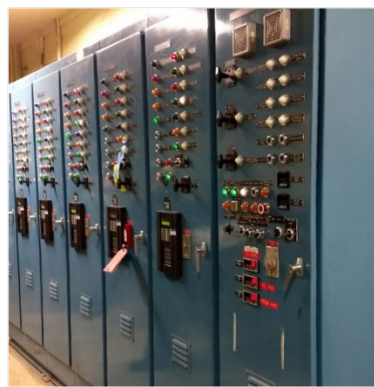
Valley Water

Clean Water • Healthy Environment • Flood Protection

Coyote Pumping Plant Adjustable Speed Drives R

Procurement Options

October 12, 2021



Project Overview

- Replacement of major equipment at the Coyote Pumping Plant
- ~90% of the work is electrical
- No change to system capacity
- All work occurs within the existing building or fenced in switchyard



Summary

3

Staff Recommendation

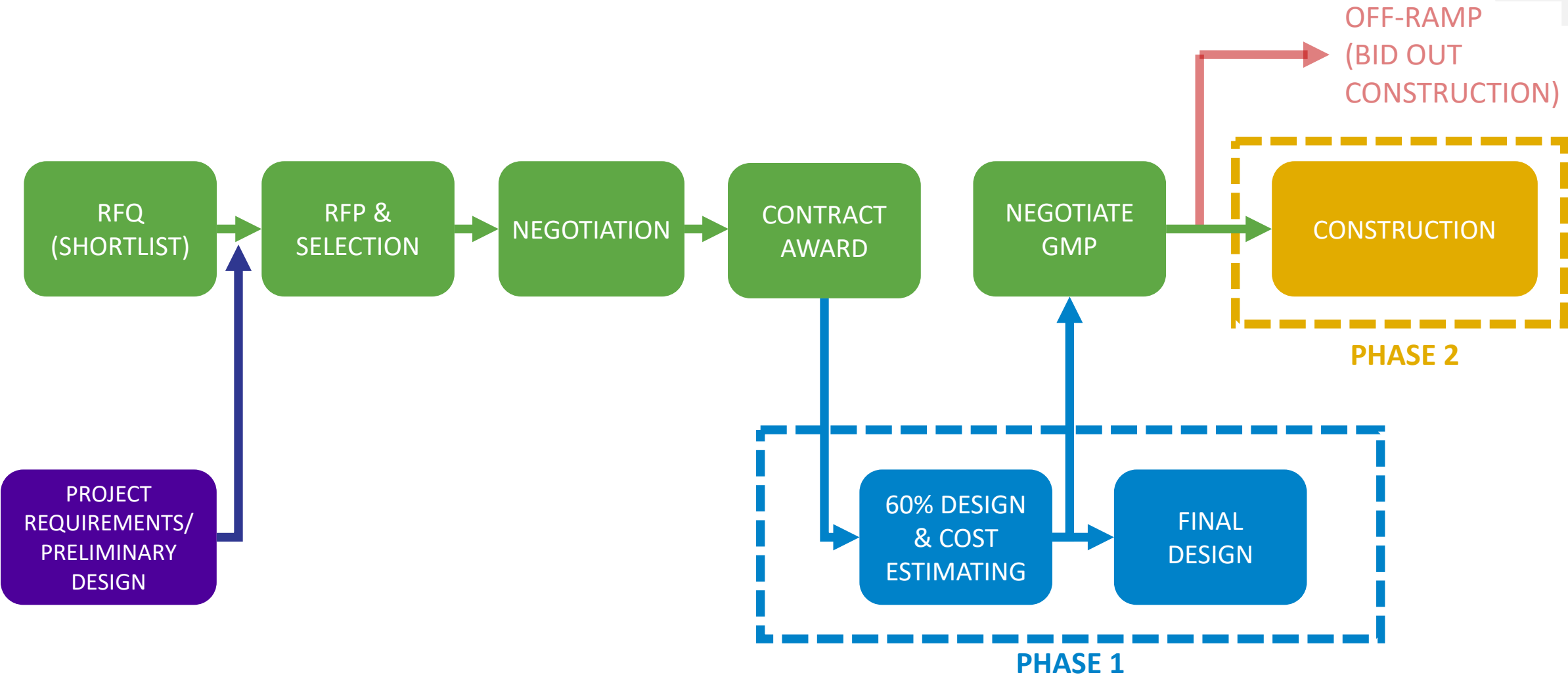
- Proceed to Request for Proposal (RFP) stage with single proposer

Justification

- Staff and consultant conducted outreach and were unable to obtain confirmation of additional proposers; therefore, potential for additional proposers is highly unlikely
- Re-posting of the Request for Qualifications (RFQ) would likely involve changes to risk allocation between the parties such as:
 - A limitation of liability in the agreement (increased risk to Valley Water)
 - Clarifying language addressing the design-to-budget approach
 - Reducing RFQ submittal requirements



Progressive Design-Build Delivery Method



Procurement Background

- December 2020: Staff presented on the Coyote Pumping Plant Adjustable Speed Drives (ASD) Replacement Project during the Virtual Open House.
- June 2, 2021: RFQ was posted, with statement of qualifications (SOQs) due on July 29, 2021.
- June 18, 2021: Staff conducted a prequalification meeting, which was attended by 23 people from 14 different contractors/designers/suppliers. Local builder's exchanges also downloaded the RFQ documents.
- July 29, 2021: Only one potential DBE submitted a SOQ for the Project.



Feedback from Potential Contractors/DBEs

Electrical contractors are very busy

Electrical contractors don't want to prime the work

General contractors are very busy and would need to sub out most of the work

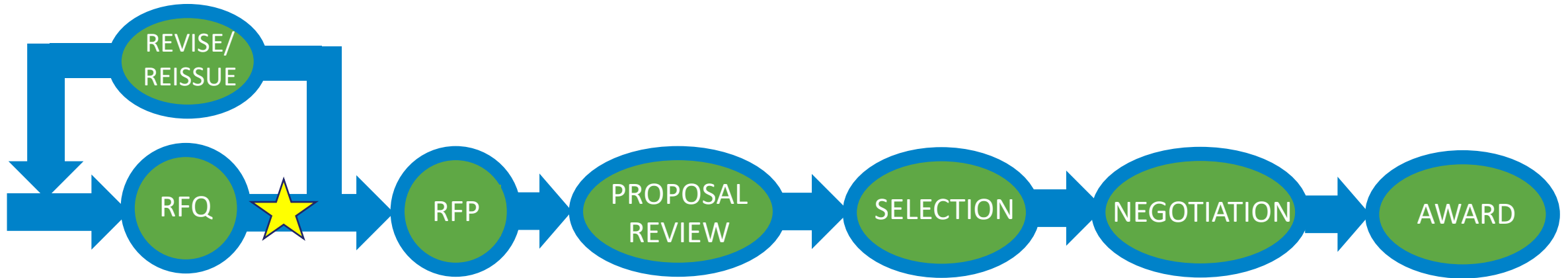
Only 1 potential new proposer has expressed interest (no firm commitment)

Vetted Best Options to Proceed

7



OPTION A: Proceed to RFP stage with single proposer  Staff Recommended



OPTION B: Re-issue RFQ with targeted changes

★ Current stage in the process

Option A: Proceed to RFP Stage with Single Proposer



- Proceed to RFP stage of the procurement process as originally envisioned.
- Evaluate proposal for responsiveness, as well as proposer qualifications, proposed team, approach to the work, and to confirm that price elements (proposed fees for general conditions, overhead, and profit) are acceptable.

Pros	Cons
<ol style="list-style-type: none">1. No/minimal delay to currently planned procurement schedule.2. VW maintains the risk allocation defined in the RFQ and procurement approach.	<ol style="list-style-type: none">1. VW doesn't have the option to proceed to second highest-ranked proposer if contract negotiations are unsuccessful.2. Less incentive to provide lowest bid pricing for Phase 1 (design) and fees for Phase 2 (construction).

Option B: Re-issue RFQ with Targeted Changes

- Shift more risk allocation to Valley Water
- Reduction of administrative effort to submit a SOQ
- Conduct additional outreach to potential DBEs to encourage their participation before the RFQ is re-issued

Pros	Cons
<ol style="list-style-type: none">1. Opportunity to qualify multiple proposers.2. Opportunity to obtain more competitive pricing.3. Considering future procurements: this is an opportunity to demonstrate that VW is willing to consider suggestions from the proposer community.	<ol style="list-style-type: none">1. Overall project schedule will be delayed.2. Possible that there is still a single SOQ submitted (or even none).3. Requires that VW change approach and risk allocation to respond to the market.

Tools to Control Cost



- ✓ Validate DBE's Phase 1 (design) lump sum and Phase 2 (construction) markups
- ✓ Design to budget requirement
- ✓ Off-ramp
- ✓ Competition amongst equipment vendors



Staff and CIP Committee
Supported Option

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	Option A	Option B
Procurement Process	Proceed with agreement as originally envisioned	Requires revising, reviewing, and re-issuing RFQ documents
Schedule	Proceed with no schedule interruption	Project delay
Pricing and Negotiations	Lack of competition for DBE fees & lack of negotiation leverage	Potential for additional SOQs to increase competition (market outreach indicates limited potential)
Risk/Legal	VW maintains the risk allocation in the original RFQ	Re-posting the RFQ would likely involve changes to the risk allocation between the parties

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Santa Clara Valley Water District

File No.: 21-1059

Agenda Date: 10/12/2021

Item No.: 9.1.

BOARD AGENDA MEMORANDUM

SUBJECT:

Fiscal Year 2020-21 Fourth Quarter Financial Status Update.

RECOMMENDATION:

Receive the Fiscal Year 2020-21 fourth quarter financial status update as of June 30, 2021.

SUMMARY:

Santa Clara Valley Water District's (Valley Water) Fiscal Year 2020-21 closed on June 30, 2021. The fourth quarter financial status update presentation (Attachment 1) summarizes cash and investment balances, the debt portfolio and includes a detailed comparison, and analysis, of the budget to actual status of revenues and expenditures for all funds as of June 30, 2021.

These financial statements have been prepared by Valley Water for informational purposes only and have not been audited by the external auditor. No party is authorized to disseminate these unaudited financial statements to the State Comptroller or any nationally recognized rating agency, nor are they authorized to post these financial statements on EMMA or any similar financial reporting outlets or redistribute the information without the express written authorization of the Chief Financial Officer of Valley Water. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of District 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, maintained on the World Wide Web at <<https://emma.msrb.org/>>.

FINANCIAL IMPACT:

There is no financial impact associated with this item.

CEQA:

The recommended action does not constitute a project under CEQA because it does not have the potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

ATTACHMENTS:

File No.: 21-1059

Agenda Date: 10/12/2021
Item No.: 9.1.

Attachment 1: PowerPoint

UNCLASSIFIED MANAGER:
Darin Taylor, 408-630-3068

FY2020-21 Financial Status Update

October 12, 2021

The FY 2020-21 unaudited financial statements contained herein have been prepared by Valley Water for information only and have not been audited by the external auditor. These financial statements remain subject to change by Valley Water and remain subject to review by external auditor. Changes made by the external auditor, including changes in response to the outsider auditor's review, could be material. No party is authorized to disseminate these unaudited financial statements to the State Comptroller or any nationally recognized rating agency nor post these statements on EMMA or any similar financial reporting outlets or redistribute the information without the express written authorization of the Chief Financial Officer of Valley Water. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale Valley Water bonds, notes or other obligations and investors and potential investors should rely on information filed by Valley Water on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures, maintained on the World Wide Web at <https://emma.msrb.org/>.

1. Financial Status

- Cash & Investments
- Debt Portfolio

2. FY 21 Unaudited Close Status

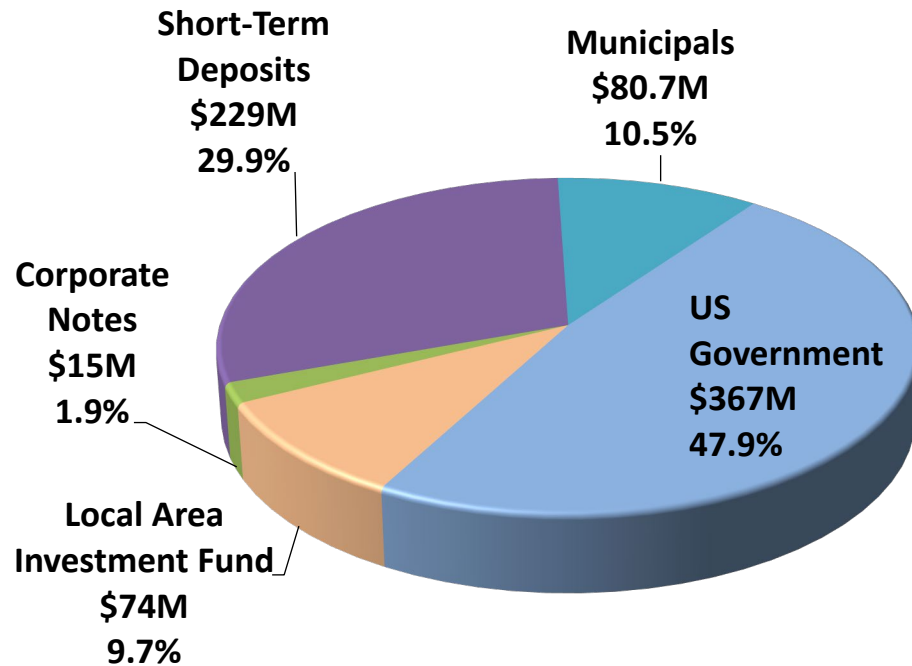
- Revenue
- Operating & Capital Expenditures

3. Back Up Slides – Revenue and Ops & Cap Expenditures by Fund

Financial Status Update – Cash & Investments

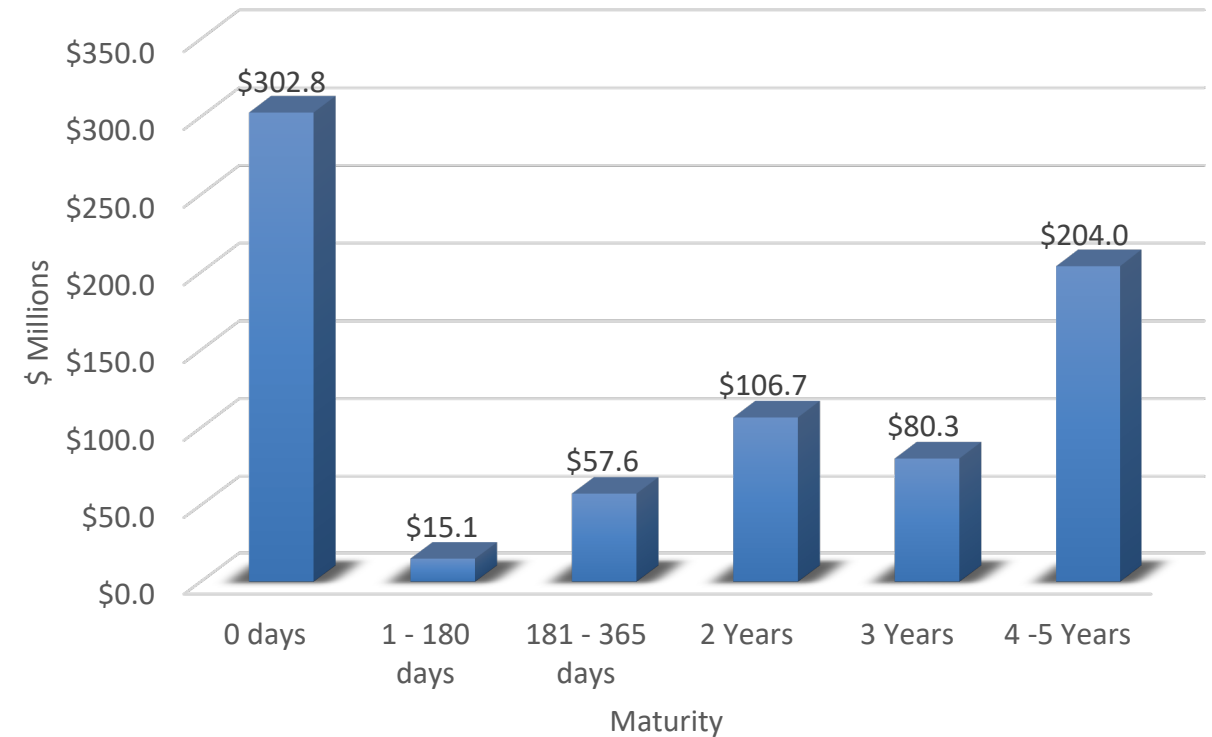
\$375M or 49% of portfolio very liquid (<1-year maturity)

Valley Water Investment Portfolio Composition



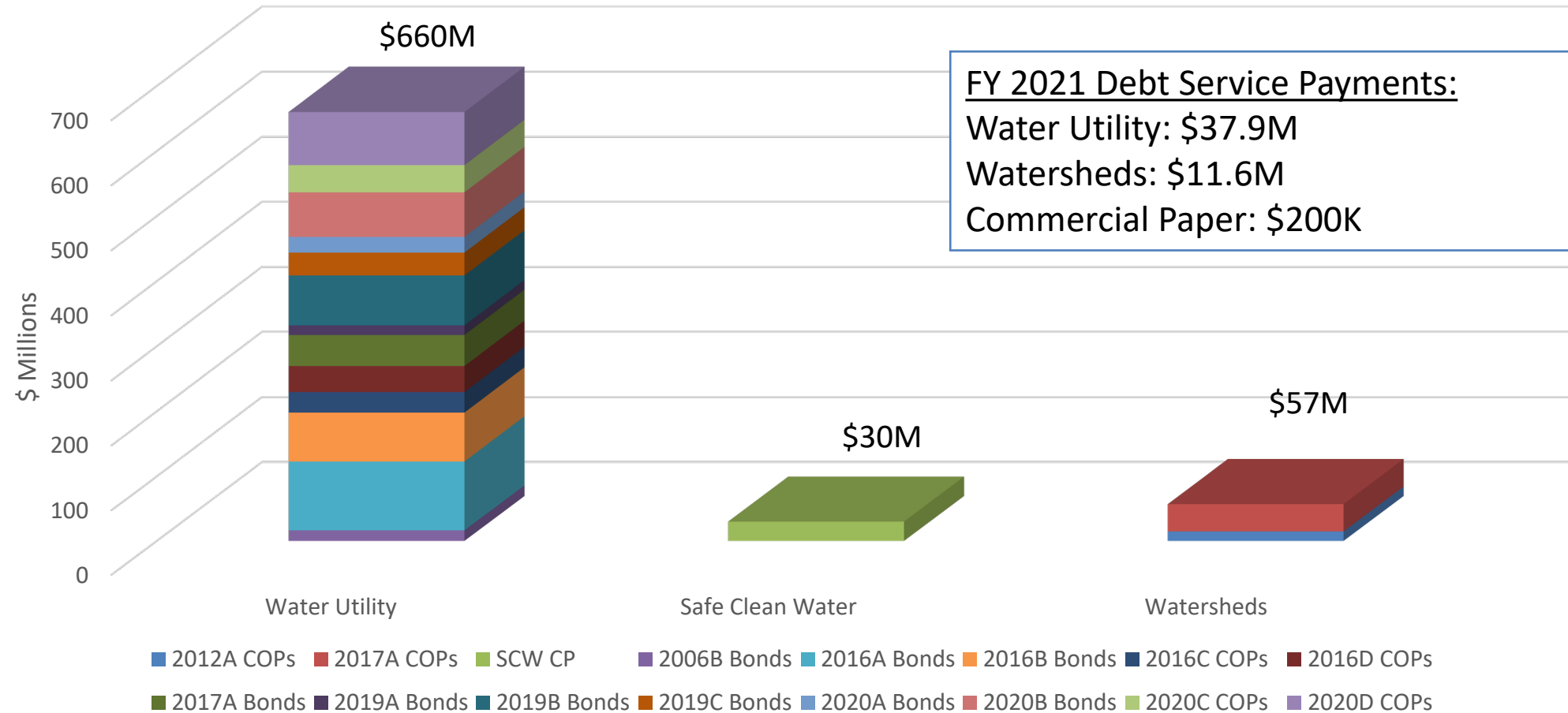
Valley Water Portfolio Book Value as of June 30, 2021: \$766 Million

Valley Water Portfolio Aging Report June 30, 2021 Portfolio Book Value: \$766 Million



Financial Status Update - Outstanding Debt (6/30/2021)

Total Outstanding Debt: \$747 Million



Ample access to cash at low interest rates

\$320M short-term credit facilities

- \$150M Commercial Paper – ongoing program
- \$170M Bank Line of Credit (\$150M Lead + \$20M Small/Local)
 - US Bank Lead (\$150M), Community Bank of the Bay (\$5M), Bank of SF (\$7M), and First Foundation Bank (8M)

FY 2021 Debt Issuance: \$216M Water Utility Series 2020 A/B/C/D

FY 2022 Planned Debt Issuances (~March – May 2022):

- \$100M Safe, Clean Water Program
- \$159M Water Utility

WIFIA Loan Program Update: \$135M SCW + \$1.2B Pacheco

FY 21 Unaudited Close - Revenues

Majority of sources of revenues exceeded budget, except for capital reimbursements

Observations

- FY 21 revenues \$524.6M, 104% of Adj budget.
- 1% Ad Valorem Property Tax and State Water Project Tax higher than budget due to 2021 assessment roll growth in Santa Clara County (leading contributors are changes in ownership and new construction).
- Groundwater production charges \$132.1M or 109% of budget.
- Treated water charges \$154.9M, 113% of the budget due to approximately 24 KAF higher volume consumption.
- Capital Reimbursement \$19.9M or 46% of the budget, due to timing of expenditures vs. grant reimbursement process.
- Interest Income and Other revenue, \$2.7M higher than budget due to higher intergovernmental service in Water Utility Enterprise Fund

(\$ in millions)	FY21 Adj Budget	FY21 Actuals	Over/(Under) Adj Budget	FY21 % Rec'd	FY20 Actuals	FY21 vs FY20
Groundwater Production Charges	\$ 121.1	\$ 132.1	\$ 11.0	109%	\$ 112.6	\$ 19.5
Treated Water Charges	137.4	154.9	17.5	113%	152.6	2.3
Surface/Recycled Water Charges	2.6	2.7	0.1	104%	1.7	1.0
1% Ad-valorem Property Tax	110.9	117.3	6.4	106%	110.6	6.7
Safe Clean Water Special Parcel Tax	45.5	46.1	0.6	101%	46.1	-
Benefit Assessments	12.4	12.4	-	100%	13.4	(1.0)
State Water Project Tax	18.0	21.3	3.3	118%	21.8	(0.5)
Capital Reimbursements	43.6	19.9	(23.7)	46%	33.8	(13.9)
Interest Income & Other	15.2	17.9	2.7	118%	23.9	(6.0)
Total Revenue	\$ 506.7	\$ 524.6	\$ 17.9	104%	\$ 516.5	\$ 8.1

(\$ in millions)	FY21 Adj Budget	FY21 Actuals	Over/(Under) Adj Budget	FY21 % Rec'd	FY20 Actuals	FY21 vs FY20
General Fund	\$ 9.4	\$ 10.0	\$ 0.6	106%	\$ 9.7	\$ 0.3
Watershed & Stream Stewardship Fund	117.8	107.7	(10.1)	91%	114.7	(7.0)
Safe, Clean Water Fund	61.1	56.9	(4.2)	93%	64.4	(7.5)
Water Utility Enterprise Fund	305.5	337.0	31.5	110%	313.3	23.7
Service Funds	0.5	0.6	0.1	120%	1.1	(0.5)
Benefit Assessment Funds	12.4	12.4	-	100%	13.4	(1.0)
Total Revenue	\$ 506.7	\$ 524.6	\$ 17.9	104%	\$ 516.5	\$ 8.1

FY 21 Unaudited Close – Operating Outlays & Capital Expenditures

Operating and Capital expenditures end FY below budgeted levels

Operating

(\$ in millions)	FY21 Adj Budget	FY21 Actuals	Remaining Budget	FY21 % Spent	FY20 Actuals	FY21 vs FY20
General Fund	\$ 69.5	\$ 68.4	1.1	98%	\$ 59.1	\$ 9.3
Watershed & Stream Stewardship Fund	62.6	59.2	3.4	95%	51.7	7.5
Safe, Clean Water Fund	20.5	15.9	4.6	78%	21.1	(5.2)
Water Utility Enterprise Fund	243.1	236.6	6.5	97%	199.5	37.1
Service Funds	31.9	30.6	1.3	96%	23.8	6.8
Benefit Assessment Funds	11.2	11.0	0.2	99%	11.0	-
Total Operating Expenditures	\$ 438.8	\$ 421.7	\$ 17.1	96%	\$ 366.2	\$ 55.5

Note 1: Operating Adjusted Budget includes Adopted Budget and current year budget adjustments

Note 2: FY 21 Actuals column reflects Budgetary basis Actuals, includes actuals and encumbrances as of 06/30/21

Note 3: Operating Expenditures does not include OPEB and Pension accruals related to unfunded liability

Capital

(\$ in millions)	FY21 Adj Budget	FY21 Actuals	Remaining Budget	FY21 % Spent	FY20 Actuals	FY21 vs FY20
General Fund	\$ 3.0	\$ 3.3	\$ (0.3)	110%	\$ 1.5	\$ 1.8
Watershed & Stream Stewardship Fund	87.4	63.5	23.9	73%	19.0	44.5
Safe, Clean Water Fund	127.0	71.7	55.3	56%	70.9	0.8
Water Utility Enterprise Fund	210.2	136.0	74.2	65%	132.2	3.8
Service Funds	18.7	9.7	9.0	52%	11.3	(1.6)
Total Capital Expenditures	\$ 446.3	\$ 284.2	\$ 162.1	64%	\$ 234.9	\$ 49.3

Note 1: Capital Adjusted Budget includes Adopted Budget and prior year capital carryforward

Note 2: Budgetary basis Actuals includes actuals and encumbrances as of 06/30/21

Observations

- FY 21 Operating Expenditures of \$421.7M or 96% of Budget
- SCW Fund \$4.6M below budget due to impact of COVID 19 on project schedules (pending execution for grants projects, CDC restrictions on Encampment Cleanup / suspended activities in the Impaired Water Bodies Improvements project).
- Water Utility Enterprise Fund savings of \$6.5M primarily due to savings in training, travel and debt service expenses.
- FY 21 Capital Expenditures of \$284.2M or 64% of the Adj Budget, lower spending primarily due to project schedule changes and project delays.

Back Up Slides

FY 21 Unaudited Revenue and Expenditures – General Fund

Revenue

(\$ in millions)	FY21 Adj Budget	FY21 Actuals	Over/(Under) Adj Budget	FY21 % Rec'd	FY20 Actuals	FY21 vs FY20
Property Tax	\$ 9.2	\$ 9.8	\$ 0.6	107%	\$ 9.2	\$ 0.6
Interest Income	0.2	0.1	(0.1)	59%	0.4	(0.3)
Other	-	0.1	0.1	-	0.1	-
Total Revenue	\$ 9.4	\$ 10.0	\$ 0.6	106%	\$ 9.7	\$ 0.3

Total Outlays

(\$ in millions)	FY21 Adj Budget	FY21 Actuals	Remaining Budget	FY21 % Spent	FY20 Actuals	FY21 vs FY20
Operations	\$ 69.0	\$ 67.9	1.1	98%	\$ 58.6	\$ 9.3
Debt Service	0.5	0.5	-	100%	0.5	-
Operating Outlays	\$ 69.5	\$ 68.4	\$ 1.1	98%	59.1	9.3
Capital Projects	3.0	3.3	(0.3)	110%	1.5	1.8
Capital Outlays	3.0	3.3	(0.3)	110%	1.5	1.8
Total Outlays	\$ 72.5	\$ 71.7	\$ 0.8	99%	\$ 60.6	\$ 11.1

Observations

- General Fund FY 21 Operating Capital budget expenditures on target

FY 21 Unaudited Revenue and Expenditures – Service Funds

Revenue

(\$ in millions)	FY21 Adj Budget	FY21 Actuals	Over/(Under) Adj Budget	FY21 % Rec'd	FY20 Actuals	FY21 vs FY20
Interest Income	0.4	0.5	0.1	123%	0.8	(0.3)
Non-Operating Other	0.1	0.1	-	100%	0.3	(0.2)
Total Revenue	\$ 0.5	\$ 0.6	\$ 0.1	120%	\$ 1.1	\$ (0.5)

Total Outlays

(\$ in millions)	FY21 Adj Budget	FY21 Actuals	Remaining Budget	FY21 % Spent	FY20 Actuals	FY21 vs FY20
Operations	\$ 31.6	\$ 30.4	1.2	96%	\$ 22.7	\$ 7.7
Operating Project	0.3	0.2	0.1	67%	1.1	(0.9)
Operating Outlays	\$ 31.9	\$ 30.6	\$ 1.3	96%	23.8	6.8
Capital Projects	18.7	9.7	9.0	52%	11.3	(1.6)
Capital Outlays	18.7	9.7	9.0	52%	11.3	(1.6)
Total Outlays	\$ 50.6	\$ 40.3	\$ 10.3	80%	\$ 35.1	\$ 5.2

Observations

- Operations savings \$1.3M due to vacant position salary savings and lower vehicle maintenance expenses
- Capital projects outlays \$9.0M lower than Budget due to purchase delay of network equipment (global microprocessors/computer chip shortage) and several unplanned high priority tasks (cybersecurity) affected IT's ability to carry out computer refresh and software upgrades

FY 21 Unaudited Revenue & Expenditures – Watershed & Stream Stewardship Fund

Revenue

(\$ in millions)	FY21 Adj Budget	FY21 Actuals	Over/(Under) Adj Budget	FY21 % Rec'd	FY20 Actuals	FY21 vs FY20
Property Tax	\$ 93.5	\$ 98.6	\$ 5.1	105%	\$ 93.1	\$ 5.5
Intergovernmental Services	-	-	-	-	0.5	(0.5)
Interest Income	2.6	2.0	(0.6)	77%	3.1	(1.1)
Capital Reimbursements	20.1	5.0	(15.1)	25%	15.2	(10.3)
Other	1.6	2.1	0.5	131%	2.8	(0.7)
Total Revenue	\$ 117.8	\$ 107.7	\$ (10.1)	91%	\$ 114.7	\$ (7.0)

Total Outlays

(\$ in millions)	FY21 Adj Budget	FY21 Actuals	Remaining Budget	FY21 % Spent	FY20 Actuals	FY21 vs FY20
Operations	\$ 59.8	\$ 57.7	2.1	96%	\$ 50.2	\$ 7.5
Operating Project	2.8	1.5	1.3	54%	1.4	0.1
Operating Outlays	\$ 62.6	\$ 59.2	\$ 3.4	95%	51.7	7.5
Capital Projects	87.4	63.5	23.9	73%	19.0	44.5
Capital Outlays	87.4	63.5	23.9	73%	19.0	44.5
Total Outlays	\$ 150.0	\$ 122.7	\$ 27.3	82%	\$ 70.7	\$ 52.0

Observations

- Property Tax higher than budgeted due to the 2021 growth in property assessed values (changes in ownership and new construction)
- Capital Reimbursements \$15.1M less than budget primarily due to reimbursements for the SFBRA Measure AA Grant for the SF Bay Shoreline project that have been partially collected and are still in process.
- Capital Outlays are \$23.9M lower due to:
 - Updated project schedule for Calabazas Creek Bank Repair Project (\$8.4M), which shifts remaining funds to FY 22;
 - Encumbrance of construction costs (awarded during the 5/25/21 Board Meeting) in FY22 instead of FY 21 for the Lower Berryessa Creek project (\$9.9M)
 - Project delays in the Lower Silver project (\$2.0M)

FY 21 Unaudited Revenue & Expenditures– Safe, Clean Water Fund

Revenue

(\$ in millions)	FY21 Adj Budget	FY21 Actuals	Over/(Under) Adj Budget	FY21 % Rec'd	FY20 Actuals	FY21 vs FY20
Special Parcel Tax	\$ 45.5	\$ 46.1	\$ 0.6	101%	\$ 46.1	-
Interest Income	3.4	2.0	(1.4)	60%	3.6	(1.6)
Capital Reimbursements	12.2	8.5	(3.7)	70%	14.3	(5.8)
Other	-	0.3	0.3	-	0.4	(0.1)
Total Revenue	\$ 61.1	\$ 56.9	\$ (4.2)	93%	\$ 64.4	\$ (7.5)

Total Outlays

(\$ in millions)	FY21 Adj Budget	FY21 Actuals	Remaining Budget	FY21 % Spent	FY20 Actuals	FY21 vs FY20
Operations	\$ 16.3	\$ 13.4	2.9	82%	\$ 11.5	\$ 1.9
Operating Project	2.5	1.6	0.8	65%	9.0	(7.4)
Debt Service	1.7	0.9	0.8	53%	0.6	0.3
Operating Outlays	\$ 20.5	\$ 15.9	\$ 4.6	78%	21.1	(5.2)
Capital Projects	127.0	71.7	55.3	56%	70.9	0.8
Capital Outlays	127.0	71.7	55.3	56%	70.9	0.8
Total Outlays	\$ 147.5	\$ 87.6	\$ 59.9	59%	\$ 92.0	\$ (4.4)

Observations

- Capital Reimbursements \$3.7M less than budgeted primarily due to reimbursements from state subventions that are partially collected and still in process for the Llagas Creek project.
- Operations outlays savings primarily due to impact of COVID on projects (ie: agreements pending execution for grant projects; CDC restrictions Encampment Cleanup project; suspended activities in the Impaired Water Bodies project), and permitting challenges related to the Uvas Creek Fish Habitat Improvement project;
- Capital Outlays are \$55.3M lower due to:
 - Project delays for the Sunnyvale East & West project(\$17.3M) and Upper Penitencia Creek Project(\$6.6M) and Upper Guadalupe River project (\$6.9M);
 - Reimbursements pending to USACE for the Berryessa Calaveras Project (\$12.2M)

FY 21 Unaudited Revenue and Expenditures – Benefit Assessment Funds

Revenue

(\$ in millions)	FY21 Adj Budget	FY21 Actuals	Over/(Under) Adj Budget	FY21 % Rec'd	FY20 Actuals	FY21 vs FY20
Lower Peninsula Watershed	\$ 2.7	\$ 2.7	\$ -	100%	\$ 2.7	\$ -
West Valley Watershed	2.0	2.0	-	100%	2.3	(0.3)
Guadalupe Watershed	4.0	4.0	-	100%	4.5	(0.5)
Coyote Watershed	3.7	3.7	-	100%	3.9	(0.2)
Total Revenue	\$ 12.4	\$ 12.4	\$ -	100%	\$ 13.4	\$ (1.0)

Total Outlays

(\$ in millions)	FY21 Adj Budget	FY21 Actuals	Remaining Budget	FY21 % Spent	FY20 Actuals	FY21 vs FY20
Debt Service	11.2	11.0	0.2	99%	11.0	-
Total Outlays	\$ 11.2	\$ 11.0	\$ 0.2	99%	\$ 11.0	\$ -

Observations

- Revenue received and expenditures by zone, comprised of voter-approved debt repayment of the benefit assessment program

FY 21 Unaudited Revenue and Expenditures – Water Utility Enterprise Fund

Revenue

(\$ in millions)	FY21 Adj Budget	FY21 Actuals	Over/(Under) Adj Budget	FY21 % Rec'd	FY20 Actuals	FY21 vs FY20
Groundwater Charges	\$ 121.1	\$ 132.1	\$ 11.0	109%	\$ 112.6	\$ 19.5
Treated Water Charges	137.4	154.9	17.5	113%	152.6	2.3
Surface/Recycled Water Charge	2.6	2.7	0.1	104%	1.7	1.0
Intergovernmental Services	1.2	4.0	2.8	323%	3.7	0.3
Property Tax	26.2	30.3	4.1	116%	30.2	0.1
Capital Reimbursements	11.4	6.4	(5.0)	56%	4.3	2.1
Interest Income	3.5	4.1	0.6	117%	5.5	(1.4)
Other	2.1	2.5	0.4	119%	2.7	(0.2)
Total Revenue	\$ 305.5	\$ 337.0	\$ 31.5	110%	\$ 313.3	\$ 23.7

Total Outlays

(\$ in millions)	FY21 Adj Budget	FY21 Actuals	Remaining Budget	FY21 % Spent	FY20 Actuals	FY21 vs FY20
Operations	\$ 201.4	\$ 197.3	4.1	98%	\$ 165.1	\$ 32.2
Operating Project	0.3	0.3	0.0	95%	0.2	0.1
Debt Service	41.4	39.0	2.4	94%	34.2	4.8
Operating Outlays	\$ 243.1	\$ 236.6	\$ 6.5	97%	199.5	37.1
Capital Projects	210.2	136.0	74.2	65%	132.2	3.8
Capital Outlays	210.2	136.0	74.2	65%	132.2	3.8
Total Outlays	\$ 453.3	\$ 372.6	\$ 80.7	82%	\$ 331.7	\$ 40.9

Observations

Revenue:

- Treated/Groundwater Revenue higher than budget due to approximately 24 KAF volume higher consumption
- Capital Reimbursements shortfall primarily due to delays in Pacheco and So. Co. Recycled Water Pipeline reimbursements

Operations:

- \$2.0M unspent administrative support primarily in training
- \$1.1M unspent for Dams/Reservoir General Maintenance due to delayed lower access road availability at Lenihan Dam
- \$2.4M debt service savings due to lower than anticipated interest costs

Capital:

- \$24.3M due to Pacheco contract scope and schedule changes
- \$10.7M Rinconada Residuals Remediation Construction contract awarded in July 2021 rather than June 2021
- \$8.9M due to So. Co. Recycled Water Pipeline Short-Term 1B project schedule delays
- \$5.2M delays to 10-Year Pipeline project due to drought impact on District-wide shut down schedule
- \$25.1M due to variances across 54 project budgets

FY 21 Year-end Reserve Balances (unaudited)

FY21 Actual Reserve Balances higher than projected

(\$ in millions)	FY20 Actual	FY21 Projected	FY21 Year-end Actuals	FY21 Year-end vs. Projected
Restricted Reserves				
Safe Clean Water Fund	\$ 153.4	\$ 105.2	\$ 132.4	27.2
Water Utility Enterprise Fund	81.6	63.8	72.1	8.3
Restricted Subtotal	\$ 235.0	\$ 169.0	\$ 204.5	\$ 35.5
Committed Reserves				
General Fund	\$ 8.2	\$ 5.8	\$ 7.1	1.3
Watershed & Stream Stewardship Fund	161.6	92.6	131.5	38.9
Water Utility Enterprise Fund	86.8	141.1	224.6	83.5
Service Funds	27.0	18.8	28.2	9.4
Committed Subtotal	\$ 283.6	\$ 258.3	\$ 391.4	\$ 133.1
Total Reserves	\$ 518.6	\$ 427.3	\$ 595.9	\$ 168.6

Observations

- Overall, FY21 actual reserve balance at year-end, 595.9M. \$168.6M higher than FY 21 projected year-end balance.
- Safe Clean Water Fund Reserve: \$27.2M higher, primarily due to lower actual capital expenditures.
- Watershed & Stream Stewardship Fund Reserve: \$38.9M higher, primarily due to actual FY21 expenditures for the San Francisco Bay Shoreline Project less than projected spending in FY 21 by \$37.2M.
- Water Utility Enterprise Fund Reserve: \$91.8M higher than projection (Water Revenue higher than projection by \$28.0M, Lower than anticipated capital expenditures \$57.1M)
- Service Fund Reserve: \$9.4M higher, primary due to actual capital expenditures less than projection by \$8.9M.

QUESTIONS



Santa Clara Valley Water District

File No.: 21-1094

Agenda Date: 10/12/2021
Item No.: *9.2.

BOARD AGENDA MEMORANDUM

SUBJECT:

CEO and Chiefs' Report.

ATTACHMENTS:

*Handout 9.2-A: Watersheds O&M Report

*Handout 9.2-B: Office of Communications Update

Watersheds - Operations and Maintenance Report

September 11th – September 24th, 2021

Projects and Permit Process Status

This report provides a holistic view of Watersheds O&M Division operations, including stream Maintenance Program (SMP) activities and work underway or performed on both Water Utility Facilities and other maintenance activities that are not permitted under SMP.

As required under the Stream Maintenance Program permitting, Valley Water submitted its annual Notice of Proposed Work (NPW) on April 15, 2021. As of July 29, 2021, complete agency approvals have been received for 28 bank stabilization, sediment removal and animal damage management projects and 104 vegetation management projects.

Agency review of the NPW has been completed by all agencies. All projects have been approved; however, the Lower Silver Creek vegetation project's mitigation waiver was denied.

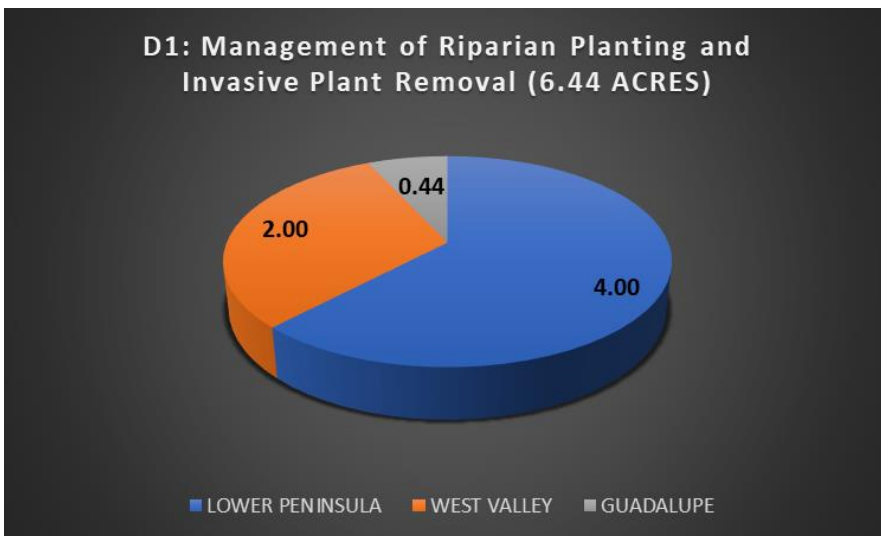
Work Status: The following includes select projects and work activities either completed and/or ongoing during this reporting period.

WORK TYPE	LOCATION	MUNICIPALITY	DISTRICT (DIRECTOR)	STATUS
Bank Protection	Guadalupe River upstream of San Carlos Street	San Jose	2 (Keegan)	Completed 09/21/21
Bank protection	Saratoga Creek upstream of Pruneridge Avenue	Santa Clara	5 (Hsueh)	Ongoing; started 07/06/21
Bank protection	Golf Creek upstream of Redmond Avenue	San Jose	4 (LeZotte)	Ongoing; started 07/06/21
Bank protection	Lower Penitencia Creek at Great Mall Parkway	Milpitas	3 (Santos)	Ongoing; started 07/06/21
Bank protection	Coyote Bypass at Dixon Landing Road	San Jose	3 (Santos)	Ongoing; started 08/17/21

September 11th – September 24th, 2021

Sediment removal	San Tomas Aquino Creek, from Agnew Road to Mission College Boulevard	Santa Clara	3 (Santos)	Ongoing; started 09/13/21
Sediment removal	San Tomas Aquino Creek, from Great America Parkway to Tasman Drive	Santa Clara	3 (Santos)	Ongoing; started 09/21/21
Log Boom Winch Installation	Anderson Dam	County	1 (Varela)	Ongoing; started 04/15/21
Culvert replacements	CFI/CFO (Santa Clara Conduit)	San Benito County	N/A	Ongoing; started 07/01/21

Safe Clean Water Priority D1: Management of Riparian Planting and Invasive Plant Removal



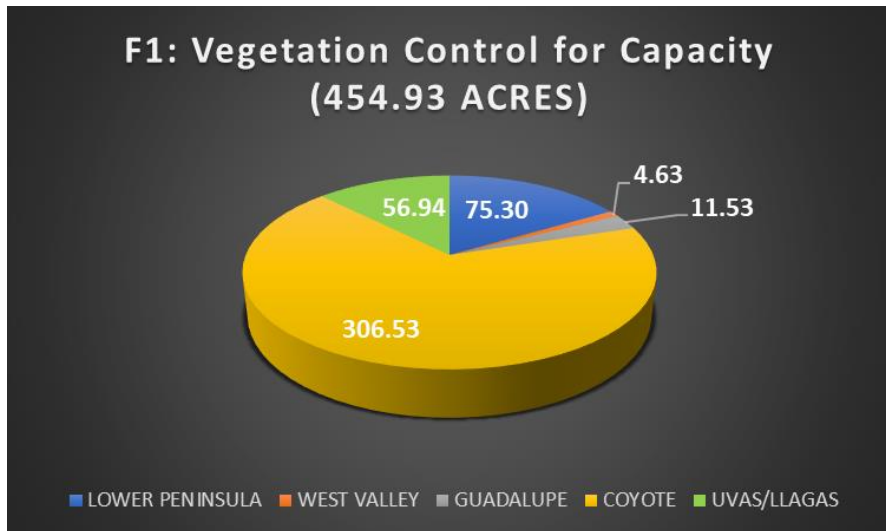
1. Maintain a minimum of 300 acres of riparian planting projects annually to meet regulatory requirements and conditions.

2. Maintain a minimum of 200 acres of invasive plant management projects annually to meet regulatory requirements and condition.

3. Remove 25 acres of Arundo donax throughout the county over a 15-year period.

4. The chart at left shows the work completed between September 11 – September 24, 2021

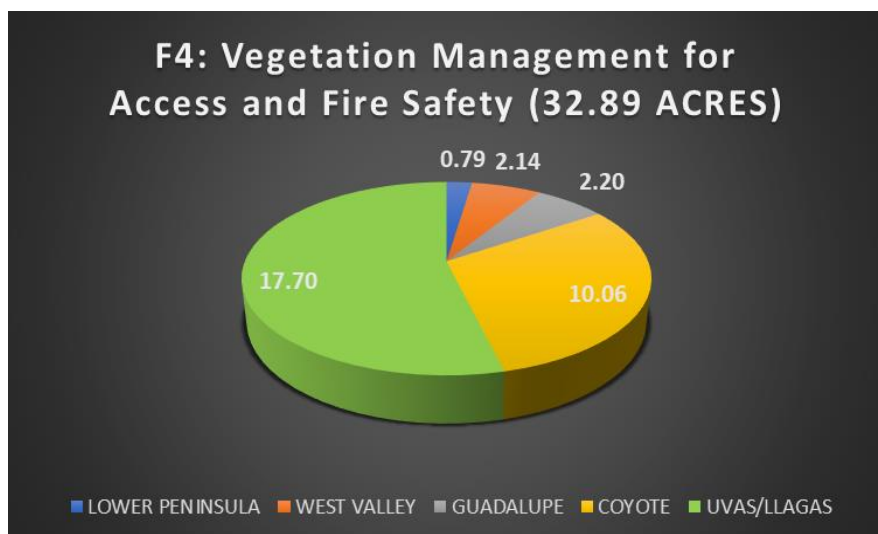
Safe Clean Water Priority F1: Vegetation Control for Capacity



Maintain completed flood protection projects for flow conveyance.

The chart at left shows the work completed between September 11 – September 24, 2021

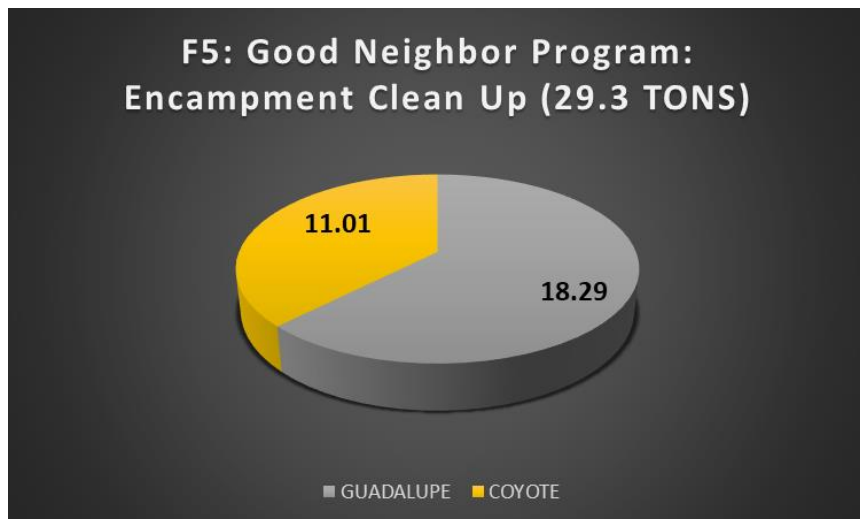
Safe Clean Water Priority F4: Vegetation Management for Access and Fire Safety



Provide vegetation management for access and fire risk reduction along levee, property lines and maintenance roads, over a 15-year period.

The chart at left shows the work completed between September 11 – September 24, 2021

Safe Clean Water Priority F5: Good Neighbor Program: Encampment Clean Up

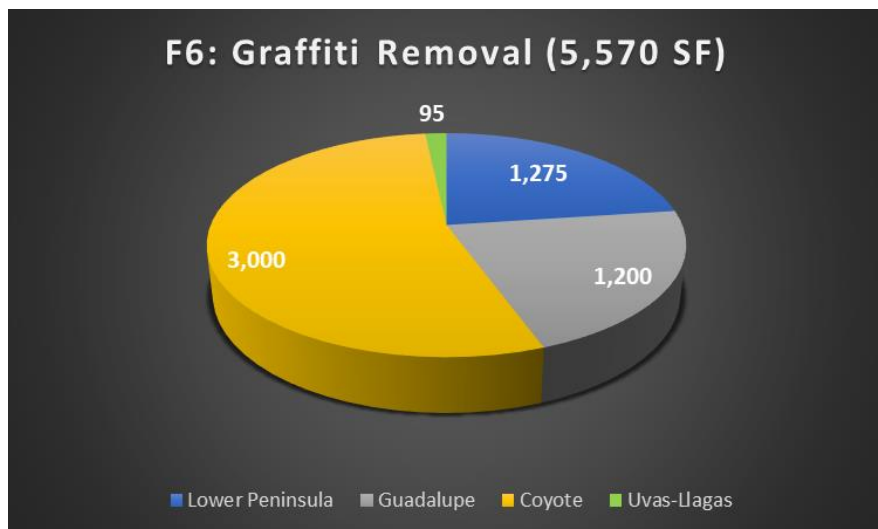


1. Perform 300 annual cleanups to reduce the amount of trash and pollutants entering streams.

2. Provide up to \$500,000 per year in cost-share with local agencies for services related to encampment cleanups, including services supporting staff safety, discouraging re-encampments along waterways, or addressing the homelessness crisis with the goal of reducing the need for encampment cleanups.

The chart at left shows the work completed between September 11 – September 24, 2021

Safe Clean Water Priority F6: Graffiti and Litter Removal and Public Art



1. Cleanup identified trash and graffiti hotspots at approximately 80 sites four (4) times per year.

2. Respond to requests on litter or graffiti cleanup within five (5) working days.

3. Provide up to \$1.5 million over 15 years to implement public art projects on Valley Water property and infrastructure.

The chart at left shows the work completed between September 11 – September 24, 2021

It does not include encampment generated trash and debris.

The information in this report has been provided by Valley Water staff for Watersheds O&M work between September 11 and September 24, 2021. As information is gathered, some of the data reported here may change.

For questions or further information, please contact Sue Tippetts, Interim Chief Operating Officer Watersheds, at (408) 630-2253.

SUMMARY FOR SEPTEMBER 2021 Office of Communications Activities



PURIFIED WATER NEWS CONFERENCE



News conference key speakers at the Silicon Valley Purification Center in San Jose on September 23, 2021.

Staff organized a news conference to highlight Valley Water's efforts to expand the use of purified water in Santa Clara County. The event drew a great turnout of Bay Area media, as reporters and photographers from KPIX, KRON, ABC7, KQED and Univision attended, along with documentary filmmakers for German Public Television and Netflix.

The news conference was live streamed on Facebook. The video on Facebook has reached more than 72,000 people, with 48,000 video views through Sept. 30.

SUMMER WATER CONSERVATION CAMPAIGN

Valley Water's multilingual summer conservation campaign continued to promote Valley Water's water conservation tools and programs for homeowners, multi-family unit residents and commercial institutions. Featuring the "Drought Ready" slogan, multilingual ads and videos are running on digital, social media, radio and print. Ads promoting water conservation through behavioral changes are running on KCBS, Telemundo and NBC Bay Area. The spots are presented by well-known radio and television personalities.

Staff launched a social media campaign featuring residential low-irrigation landscapes in Santa Clara County. The campaign provides a link to South Bay Green Gardens.

Staff also launched a social media competition to encourage residents to share their water-savings tips.

GRAYWATER MEDIA EVENT

Staff held a media event at a home in Cupertino on Sept. 1 to showcase a laundry-to-landscape graywater system and how it can help people conserve water. KPIX, KGO-TV, KRON, NBC Bay Area, Telemundo, Univision and the Bay Area News Group (Mercury News) attended. Staff gave interviews in English and Spanish and discussed the expected water savings from a graywater system, Valley Water rebates, the drought, the board's call for a 15% mandatory reduction in water use and why conservation is important.

MEDIA, COMMUNICATIONS AND SOCIAL MEDIA

Valley Water received 912 media mentions in September due to the continued high interest in the drought, water conservation, purified water and the water supply outlook.

Staff wrote and posted three stories and board columns on valleywaternews.org on the following subjects:

- Expert panel guides Valley Water's path to expanding purified water
- We are in extreme drought. Is your business ready?

Staff responded to media inquiries on the following topics:

- Valley Water's reservoir comparison video
- July water use numbers in Santa Clara County and conservation efforts
- Coastal Cleanup Day
- Oroville Dam and Reservoir, local reservoir levels, the Anderson Dam Seismic Retrofit Project and the Pacheco Reservoir Expansion Project
- Statewide water conservation numbers

Staff continued to support the Vice Chair and several Directors during 10 presentations on the drought to various community groups and municipalities over the month of September.






Staff continued to produce and lead the monthly Town Halls to provide employees with updates and bring awareness of resources, engagement opportunities, and other relevant items. Staff also supported the Emergency Operations Center activation with a variety of communications and outreach efforts.

continued on back →

Staff prepared Nextdoor messages for board members on the following topics:

- Valley Water upgrades its customer service portal, Access Valley Water, to better serve you
- Saturday work for the Piedmont Creek U-frame Channel Repairs Project
- Coastal Cleanup Day – Find your happy place
- Have your voice heard in Valley Water’s Redistricting process
- Valley Water completes emergency repairs on pipeline that serves Rinconada Water Treatment Plant
- Free Drop-in COVID Vaccination Clinic and COVID Testing at Valley Water
- Neighborhood input on the proposed flood protection elements at Rocksprings, Coyote Meadows, William Street, Selma Olinder, and Watson parks

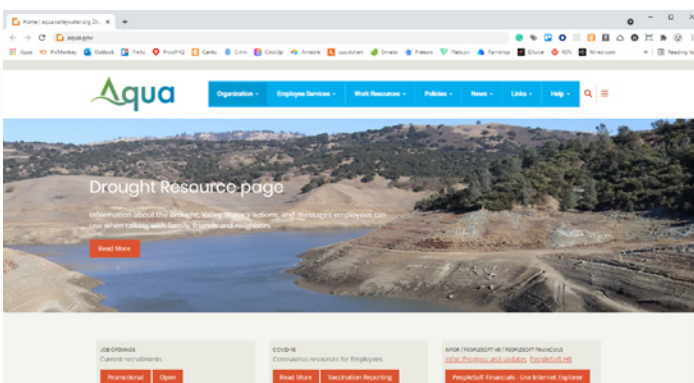
Statistics for Facebook, Twitter, valleywaternews.org blog, video, and eNews are below. Impressions are the number of times a post is displayed in a newsfeed, Twitter stream, etc. Engagement is the number of times a user interacts with a post, such as a retweet, click, and more.

f 3,899,252 impressions 42,221 engagements 12,522 message clicks	 16,001 impressions 308 engagements 74 link clicks	 Valleywaternews Blog 20,282 views 2,479 visitors
 607,195 video views 11 videos posted	 183,857 impressions 256 engagements	 September e-Newsletter 42% open rate 18% click through rate

INTERNAL COMMUNICATIONS

Working in partnership with IT, staff launched the new, upgraded Aqua intranet site. It is cloud-hosted and mobile-friendly, and accessible from any device for employees of Valley Water.

The 38th Employee Virtual Town Hall was held on Sept. 9. News You Can Use was sent to all employees each Tuesday and Thursday, and 8 “All User” emails were sent in September.



The upgraded Aqua intranet site received a major makeover and went live on Sept. 13.

COMMUNITY OUTREACH

Coyote Creek Flood Protection Project – The invitation for the three in-person meetings to present and get feedback on the park elements from the preferred alternatives was mailed along with other outreach and social media efforts.

Lower Penitencia Creek Improvements Project – A letter was sent to 50 properties along the creek requesting permission to conduct survey assessments on the exterior conditions of their properties.

FEMA webinar – Valley Water and the San Francisquito Creek Joint Powers Authority held a virtual webinar with FEMA to update the National Flood Insurance Program’s risk rating process.

GRAPHICS SERVICES

Staff completed a total of 57 graphic case requests.

 7 rebranding items created or updated	 11 drought-related materials supported
 5 signage created	 7 publications created and supported
 5 mailer, event and outreach materials created	 5 digital graphics supported
 5 public notice and newspaper advertisement created	 12 internal materials created and supported

Upcoming activities

A series of on-site public meetings on the Coyote Creek Flood Protection Project are scheduled for October.

- October 7 at Rocksprings Park
- October 13 at William Street Park and Selma Olinder Park
- October 14 at Watson Park

Participants will learn about and provide feedback on the flood protection elements that are part of the preferred alternatives for the parks.