



Santa Clara Valley Water District Board of Directors Meeting

Headquarters Building Boardroom
5700 Almaden Expressway
San Jose, CA 95118

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

Tuesday, November 27, 2018
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

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

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the Clerk of the Board at the Santa Clara Valley Water District Headquarters Building, 5700 Almaden Expressway, San Jose, CA 95118, at the same time that the public records are distributed or made available to the legislative body. Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to attend Board of Directors' meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

NORMA CAMACHO
Chief Executive Officer

MICHELE L KING, CMC
Clerk of the Board
(408) 265-2600
Fax (408) 266-0271
www.valleywater.org

Note: The finalized Board Agenda, exception items and supplemental items will be posted prior to the meeting in accordance with the Brown Act.

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

***AMENDED/APPEDED
AGENDA**

***ITEMS AMENDED AND/OR APPENDED SINCE THE ORIGINAL PUBLICATION OF THIS AGENDA
ARE IDENTIFIED BY AN ASTERISK (*) HEREIN**

Tuesday, November 27, 2018

11:00 AM

Headquarters Building Boardroom

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

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

SCVWD v. San Francisco Bay Regional Water Quality Control Board

Contra Costa County Superior Court, Case No. MSN17-1822

[18-0972](#)

2.2. CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL
EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)

[18-1047](#)

Great Oaks Water Co v. SCVWD
California 6th Appellate District, Case No. H035260

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 107CV087884

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 108CV119465

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 108CV123064

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 109CV146018

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 110CV178947

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 111CV205462

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 112CV228340

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 113CV249349

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 115CV281385

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 116CV292097

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 117CV308140

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 118CV327641

1:00 PM

2.3. District Counsel Report.

2.4. Pledge of Allegiance/National Anthem.

2.5. Orders of the Day.

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

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

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

Notice to the public: This item is reserved for persons desiring to address the Board on any matter not on this agenda. Members of the public who wish to address the Board on any item not listed on the agenda should complete a Speaker Card and present it to the Clerk of the Board. The Board Chair will call individuals to the podium in turn. Speakers comments should be limited to three minutes or as set by the Chair. The law does not permit Board action on, or extended discussion of, any item not on the agenda except under special circumstances. If Board action is requested, the matter may be placed on a future agenda. All comments that require a response will be referred to staff for a reply in writing. The Board may take action on any item of business appearing on the posted agenda.

3. CONSENT CALENDAR: (3.1 - 3.5) (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 complete a Speaker Card and present it to the Clerk of the Board.

3.1. Claim of Bertrand Teplitzky.

[18-0924](#)

Recommendation: Deny the claim.

Manager: Stan Yamamoto, 408-630-2755

Attachments: [Attachment 1: Claim](#)

*3.2. ITEM REMOVED FROM AGENDA--Membership Nomination for Committee Appointment to the Santa Clara Valley Water District Youth Commission (Youth Commission).

- 3.3. Membership Nomination for Committee Appointment and Re-appointments to the Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee. [18-1002](#)

Recommendation: A. Consider nomination of Virginia Holtz for a two-year membership appointment to Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee; and
B. Consider re-appointments of Carmen Montano, Bill Hoeft, Dan McCorquodale and Tess Byler, to the Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: SCVWD Resolution No. 13-61](#)
[Attachment 2: V. Holtz Application](#)

- 3.4. Membership Nominations for Committee Appointments to the Agricultural Water Advisory Committee and Environmental and Water Resources Committee. [18-1042](#)

Recommendation: A. Consider nominations for two-year membership re-appointments of Russ Bonino, Mitchell Mariani, James Provenzano, William Cilker, David Vanni, Jan Garrod, Michael Miller, and Robert Long to the Agricultural Water Advisory Committee; and
B. Consider nominations for two-year membership re-appointments of Bonnie Bamburg, Loren Lewis, Rita Norton, Charles Taylor, John Bourgeois, Bob Levy, Tara Martin-Milius, Sachihiko (Mike) Michitaka, Marc Rauser, Tess Byler, Steven Jordan, and Arthur M. Keller, Ph.D., to the Environmental and Water Resources Committee.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: SCVWD Resolution 15-28](#)

- *3.5. CEO Bulletin for the Week of November 16-22, 2018. [18-1039](#)

Recommendation: Accept the CEO Bulletin.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: 112218 CEO Bulletin](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

- 4.1. Fiscal Year 2019 Board Policy Planning and Performance Monitoring Calendars. [18-0844](#)

Recommendation: Review, discuss, and revise the Fiscal Year 2019 Board Policy Planning and Performance Monitoring Calendars.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: FY19 Polichy Planning Calendar](#)
[Attachment 2: FY19 Performance Monitoring Calendar](#)

Est. Staff Time: 5 Minutes

- 4.2. Board Committee Reports.
A. *Delta Conveyance Design and Construction Authority Update.*
B. *Delta Conveyance Finance Authority Update.*

5. WATER UTILITY ENTERPRISE:

- 5.1. Planning for Fiscal Year 2019-20 Groundwater Production Charges. [18-0919](#)

Recommendation: A. Discuss planning for Fiscal Year 2019-20 Groundwater Production Charges and provide direction to staff on projection scenarios and on the fixed charge evaluation; and
B. Rescind Resolution 12-11, AN AMENDED AND RESTATED RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA CLARA VALLEY WATER DISTRICT ADOPTING PROCEDURES FOR THE IMPOSITION OF GROUNDWATER PRODUCTION CHARGES.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: Powerpoint](#)
[Attachment 2: SCVWD Resolution No. 99-21](#)
[Attachment 3: SCVWD Resolution No. 12-10](#)
[Attachment 4: SCVWD Resolution No. 12-11](#)

Est. Staff Time: 30 Minutes

6. WATERSHEDS:

- 6.1. Proposed Pilot Project for Using Unmanned Aerial Vehicles in Land Surveying and Mapping Activities (County-wide). [18-0960](#)

Recommendation: Authorize staff to implement a 6-month pilot project for using Unmanned Aerial Vehicles in land surveying and mapping activities.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Public Notice](#)
[Attachment 2: PowerPoint](#)

Est. Staff Time: 5 Minutes

7. EXTERNAL AFFAIRS:

- 7.1. Update on the Programs and Activities of the Office of Civic Engagement. [18-0879](#)

Recommendation: Receive information and updates on the programs and activities of the Office of Civic Engagement.

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

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 10 Minutes

- 7.2. Update on Education Outreach's Outdoor Classroom Program. [18-0918](#)

Recommendation: Receive information on educational programming at the District's outdoor classrooms.

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

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 10 Minutes

8. CHIEF EXECUTIVE OFFICER:

- 8.1. CEO and Chiefs' Report.

9. ADMINISTRATION:

10. DISTRICT COUNSEL:

11. ADJOURN:

- 11.1. Board Member Reports/Announcements.

- 11.2. Proposed Future Board Member Agenda Items.

- 11.3. Clerk Review and Clarification of Board Requests.
- 11.4. Adjourn to 3:00 p.m. Special Meeting on December 5, 2018, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.

File No.: 18-0972

Agenda Date: 11/27/2018
Item No.: 2.1.

NON-EXHIBIT/CLOSED SESSION ITEM

SUBJECT:

CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
SCVWD v. San Francisco Bay Regional Water Quality Control Board
Contra Costa County Superior Court, Case No. MSN17-1822

File No.: 18-1047

Agenda Date: 11/27/2018
Item No.: 2.2.

NON-EXHIBIT/CLOSED SESSION ITEM

SUBJECT:

CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL
EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)

Great Oaks Water Co v. SCVWD
California 6th Appellate District, Case No. H035260

Great Oaks Water Co. v. SCVWD
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Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 108CV123064

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 109CV146018

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 110CV178947

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 111CV205462

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 112CV228340

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 113CV249349

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 115CV281385

File No.: 18-1047

Agenda Date: 11/27/2018
Item No.: 2.2.

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 116CV292097

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 117CV308140

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 118CV327641

File No.: 18-0924

Agenda Date: 11/27/2018

Item No.: 3.1.

BOARD AGENDA MEMORANDUM

SUBJECT:

Claim of Bertrand Teplitxky.

RECOMMENDATION:

Deny the claim.

SUMMARY:

The District received a claim on September 6, 2018 from Cupertino resident, Bertrand Teplitxky. Mr. Teplitxky resides at 10385 Farallone Drive in Cupertino which is near Regnart Creek. According to the claimant, on Friday, July 13 between 10:00 a.m. and 4:00 p.m., a bedroom window was broken by a small stone that was projected by mowing equipment while District staff was working on nearby Regnart Creek. The claimant is seeking unspecified monetary relief to replace the broken window.

Risk Management has investigated this matter. During the date in question, the District did not have any staff working in the Regnart Creek vicinity. The District did have crews working along Regnart Creek on July 18 - 20, but not on July 13. Any damage that might have happened would not have been caused by this entity.

Staff has reviewed this matter and found that there is no negligence on the part of the District. Therefore, there is no liability on the part of the District, and staff recommends that the claim be denied.

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: Claim

File No.: 18-0924

Agenda Date: 11/27/2018
Item No.: 3.1.

UNCLASSIFIED MANAGER:
Stan Yamamoto, 408-630-2755

Santa Clara Valley Water District

Phone: 408 265 2600

Fax: 408 445 1435

Serve or mail this form to: Clerk of the Board
Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, California 95118

cc: CEO
COB
Counsel
Risk

Claim Against the
Santa Clara Valley Water District
California Government Code
Sections 900 and following.

General Counsel form updated July, 2003

For Office Use Only:

Date Received:

By: *via email*

'18 SEP 6 PM 2:49

1. Name(s) and Address(es) of the person or persons making the claim	Name(s): <i>TEPLITSKY Bertrand</i> Address: <i>10385 Farallone Drive</i> <i>Cupertino, CA 95014</i> Phone number (optional): <i>408-674-3350</i>
2. Is this claim filed on behalf of a minor? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If so, please indicate minor's date of birth: Relationship of claim filer to minor:
3. Name and address of the person to who notices are to be sent, if different than Number 1.	Name: Address: <i>NA</i>
4. Date, place and other circumstances of the occurrence, incident, injury or transaction. <i>Attach additional sheets for more space, if needed.</i>	Date: <i>July 13th, 2018</i> Location (address and or nearest intersection): <i>Regnant Creek cleaning at Pacifica, Along Soccer field, right by my back yard - Cupertino</i> Other circumstances, including time, if known: <i>between 10 am and 4 pm</i>
5. Describe the debt, obligation, injury, damage or loss suffered so far as they are known. Include a description of the facts giving rise to the claim and why you believe the Santa Clara Valley Water District is responsible. <i>Attach additional sheets for more space, if needed, and photos, if available.</i>	Description: <i>During the cleaning of the Regnant Creek by my house's backyard, a small stone got projected, through one of the mowing equipment, straight into my bedroom window, thus breaking it. See photos sent 7/22 and 7/13 -> on file with you</i>
6. Name of the District employee who caused the injury, if known.	Name: <i>Someone from your cleaning crew</i>
7. Is the amount of this claim now:	Under \$10,000? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Over \$10,000? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
8. If the amount is now over \$10,000, is this:	A Limited Civil Case? (Less than \$25,000) Yes <input type="checkbox"/> No <input type="checkbox"/> An Unlimited Civil Case? (Greater than \$25,000) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <i>NA</i>
Signature:	Additional Signature(s): <i>[Signature]</i> Date(s): <i>9-6-2018</i>
Date: <i>9-6-2018</i>	

Melissa Stone

From: bertrand teplitzky <bteplitzky@yahoo.com>
Sent: Thursday, September 06, 2018 12:08 PM
To: Clerk of the Board
Subject: Claim form - broken window - 10385 Farallone Drive, Cupertino CA 95014
Attachments: Claim Santa Clara Water District .pdf

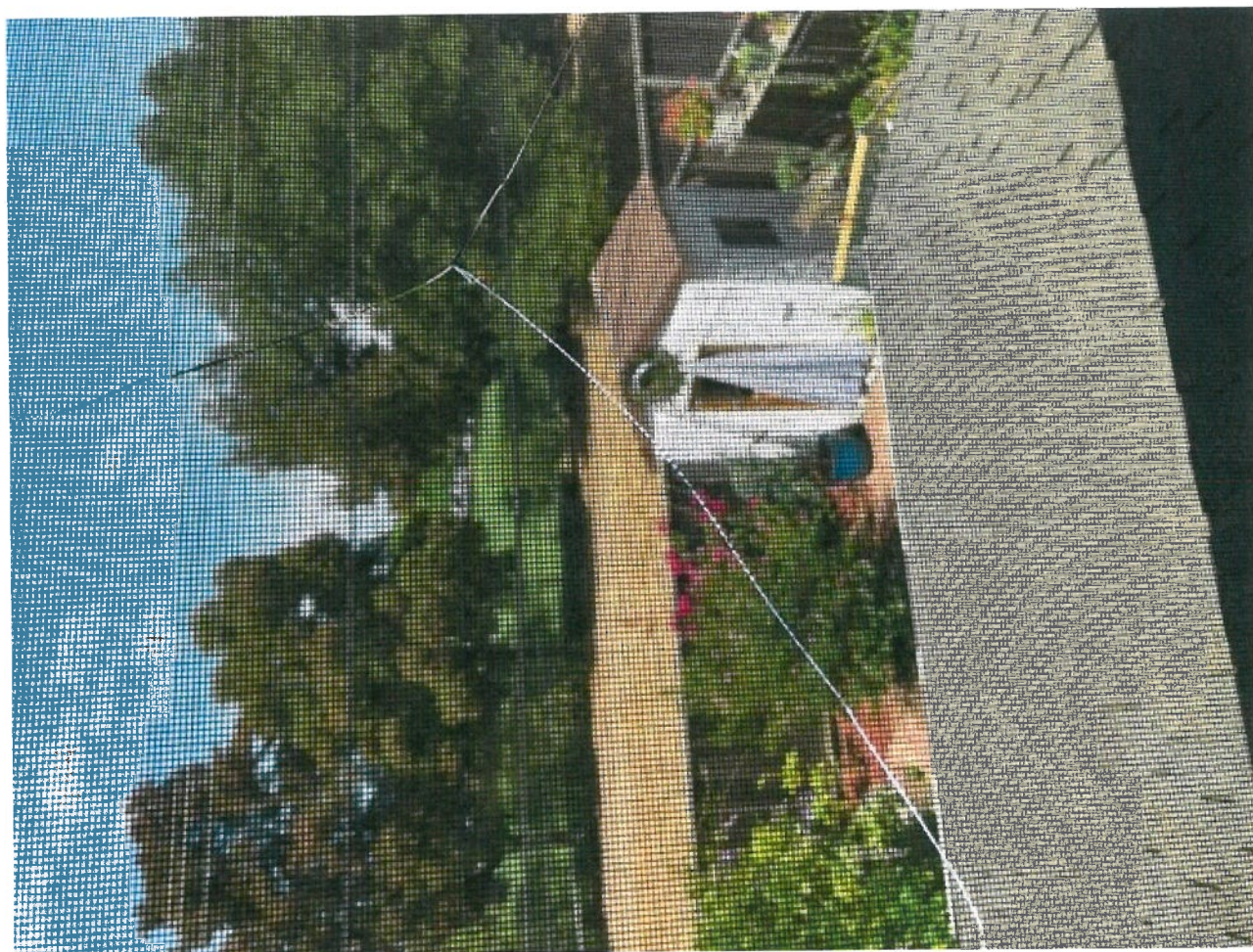
Dear Sir, Madam:

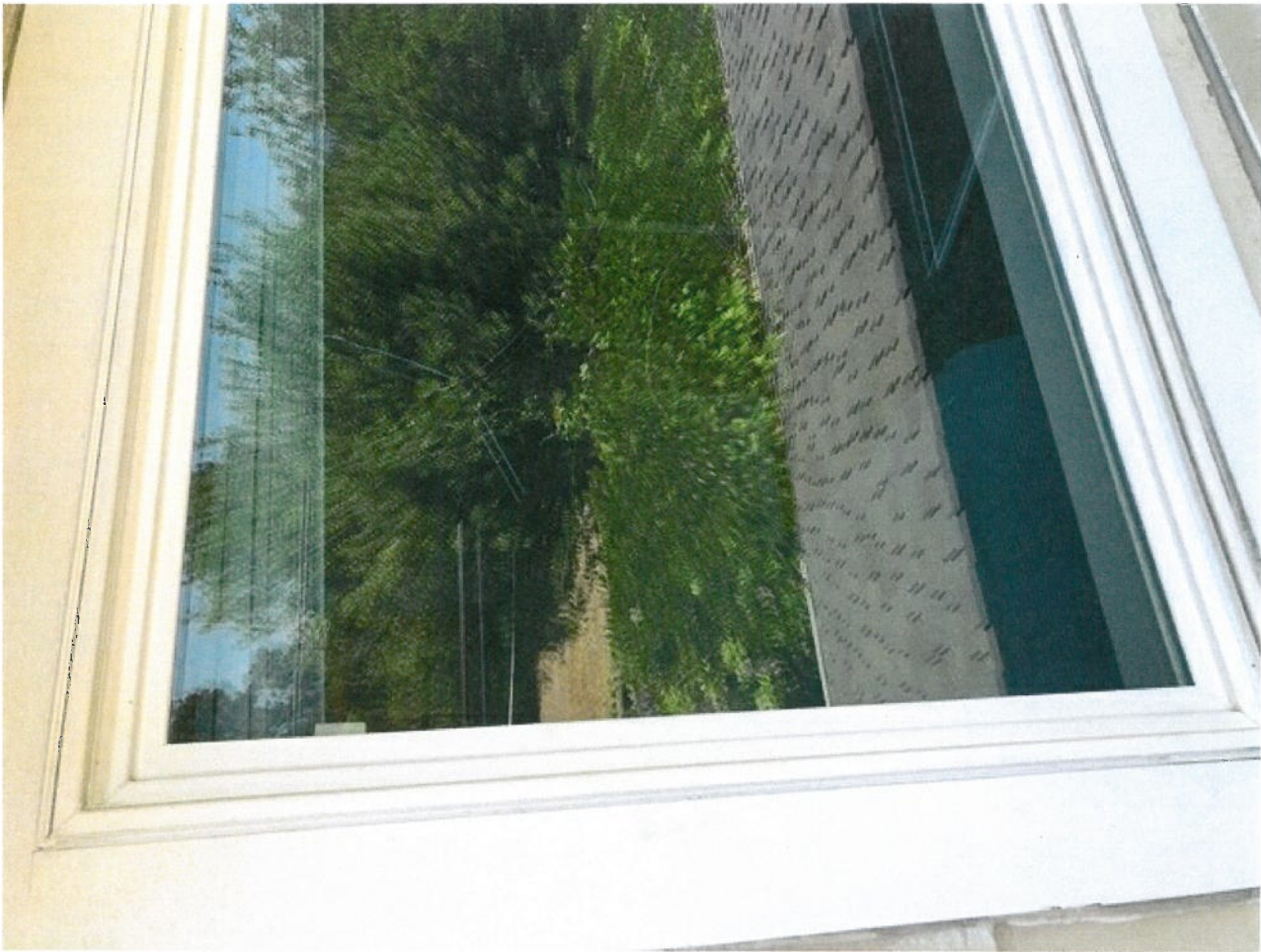
Please find attached the claim form, as directed by Ms Lilian Dennis, for the broken window during the Regnart creek cleaning on July 13, 2018 between 10 am and 4 pm. Should you need that I resend the photos of the broken window including the little stone that was projected and caused the breakage, please let me know.

thanks

Bertrand Teplitzky
408-674 3350







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File No.: 18-1002

Agenda Date: 11/27/2018

Item No.: 3.3.

BOARD AGENDA MEMORANDUM

SUBJECT:

Membership Nomination for Committee Appointment and Re-appointments to the Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee.

RECOMMENDATION:

- A. Consider nomination of Virginia Holtz for a two-year membership appointment to Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee; and
- B. Consider re-appointments of Carmen Montano, Bill Hoeft, Dan McCorquodale and Tess Byler, to the Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee

SUMMARY:

In accordance with Board Governance Process Policy GP-8, Board Committee Principles, Board Committees are established to assist the Board with policy advice, District Mission implementation, respective expertise, and, very importantly, to help produce the link between the District and the community.

The following committee member nominations for the Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee are submitted for Board appointment consideration in accordance with Board Resolution 13-61, Providing for and Defining the Structure and Function of Board Committees see Attachment 1. New applicant Virginia Holtz's application to serve on the committee is included as Attachment 2.

Applicant Name	Nominating Director	Nomination (2-year term)	Membership Category	Board Action: New Appointment Re-appointment
Virginia Holtz	Director LeZotte	SCW IMC	District 4	Appointment
Carmen Montano	Director Santos	SCW IMC	District 3	Re-appointment
Bill Hoeft	Director Hsueh	SCW IMC	District 5	Re-appointment

Dan McCorquodale	Director Estremera	SCW IMC	District 6	Re-appointment
Tess Byler	Director Kremen	SCW IMC	District 7	Re-appointment

FINANCIAL IMPACT:

The Office of the Clerk of the Board has budgeted funds to support the business meetings of the Board's Committees for Fiscal Year 2018-2019.

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: SCVWD Resolution No. 13-61

Attachment 2: V. Holtz Application

UNCLASSIFIED MANAGER:

Michele King, 408-630-2711

RESOLUTION NO. 13 - 61

PROVIDING FOR A SAFE, CLEAN WATER AND
NATURAL FLOOD PROTECTION PROGRAM
INDEPENDENT MONITORING COMMITTEE
OF THE SANTA CLARA VALLEY WATER DISTRICT

RESOLVED by the Board of Directors of the Santa Clara Valley Water District as follows:

I. GENERAL

- A. Resolution 2012-62, approved by the voters of Santa Clara County by the passage of the November 6, 2012, Safe, Clean Water and Natural Flood Protection Program (Program) (ballot Measure B), requires that the Santa Clara Valley Water District Board of Directors (Board) appoint an external Independent Monitoring Committee (Committee) to conduct an annual audit and provide an annual report to the Board regarding implementation of the intended results of the Program. At the fifth and tenth anniversaries of the Program, the Committee will identify to the Board such modifications as may be reasonably necessary to meet the priorities of the Program.
- B. The Committee shall be comprised of 15 members who reside within Santa Clara County: two members to be nominated by each member of the Board and one additional member who shall be nominated by the Chair of the Board.
- C. The Committee member nominated by the Chair of the Board shall serve a term not to exceed one calendar year beginning on or after January 1 of a given year. The term of office of this Committee member shall not be subject to reappointment.
- D. In order to provide continuity, each Board member shall nominate one Committee member to serve a three-year term, and one Committee member to serve a two-year term. The terms of office of Committee members shall begin on July 1 of a given year, and are subject to reappointment by the full Board.
- E. Meetings of the Committee shall be governed by the Ralph M. Brown Act, Government Code Sections 54950-54961.

II. PURPOSE

- A. The Committee shall prepare and submit an annual report to the Board, which shall be made available to Santa Clara County residents, regarding the Committee's review of the implementation of the intended results of the Program. At the fifth and tenth anniversaries of the Program, the Committee will identify to the Board such modifications as may be reasonably necessary to meet the priorities of the Program. The Committee will provide for a regular meeting to be held not less than once per year.
- B. In monitoring implementation, the Committee will reasonably inform itself to the extent necessary to determine the degree to which the District 15-year plan for the Program is being accomplished to date and is planned for the next period.
- C. The District shall fund clerical support.

III. CONDUCT OF MEETINGS

- A. The Chairperson or a majority of the Committee membership may call for a special meeting of the Committee from time to time in accordance with Section 54956 of the Government Code, and Paragraph 2 hereof. Such

Providing for a Safe, Clean Water and Natural Flood Protection Program Independent
Monitoring Committee of the Santa Clara Valley Water District

meetings shall be held at the Santa Clara Valley Water District Headquarters or such other place and time as the Chairperson may designate. The District may request the Chairperson or Committee to convene a special meeting.

- B. Notices of each Committee meeting, together with an agenda thereof and the draft minutes of the preceding meeting, shall be electronically mailed or sent by first class mail, postage prepaid, to each Committee member, and made available to the public in accordance with the Ralph M. Brown Act.
- C. The Committee may adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time.
- D. The powers of the Committee shall be vested in the members thereof in office from time to time. A majority of the full membership of the Committee shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, but a smaller number may adjourn from time to time until a quorum is obtained. With the exception above specified, actions of the Committee may be taken upon the affirmative vote of not less than a majority of a quorum present and voting.
- E. The voting on all matters shall be by voice vote, unless a roll call vote is called for by any member of the Committee.
- F. Discussion on any particular matter by either Committee members or by any member of the general public may be limited, in the discretion of the Chairperson, to such length of time as the Chairperson may deem reasonable under the circumstances.
- G. Whenever the Committee authorizes and instructs the Chairperson to appoint a subcommittee of the Committee or a committee composed of persons who are not members of the Committee, the members of such subcommittee or committee shall serve at the pleasure of the Chairperson. The Chairperson of such subcommittees and committees shall be appointed by the Chairperson of the Committee. All subcommittee meetings shall be conducted in accordance with the Ralph M. Brown Act.
- H. All meetings of the Committee shall be open and public.
- I. The Committee may be adjourned sine die by the Chairperson at the close of consideration of the business before it and may thereafter be returned to a course of regular meetings upon the call of the Chairperson or of a majority of the Committee membership in the manner prescribed for a call of a special meeting.

IV. OFFICERS

- A. The officers of the Committee shall be a Chairperson and Vice Chairperson, both of whom shall be members of the Committee. The Chairperson and Vice Chairperson shall be elected by the Committee, each for a term of one year commencing on July 1 and ending on June 30. The Committee shall elect its officers at a meeting of the Committee held the first meeting of the year. All officers shall hold over in their respective offices after their term of office has expired until their successors have been elected and have assumed office.

Attachment 1

Page 2 of 3

- B. The Chairperson shall preside at all meetings of the Committee. The Chairperson shall sign all resolutions and all other instruments made or promulgated by the Committee and he or she shall perform such other duties as the Committee may prescribe consistent with the purpose of the Committee.
- C. The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson; and in case of the resignation of or death of the Chairperson, the Vice Chairperson shall perform such duties as are imposed upon the Chairperson until such time as a new Chairperson is elected by the Committee.
- D. Should the office of Chairperson or Vice Chairperson become vacant during the term of such office, the Committee shall elect a successor from its membership at the earliest meeting at which such election would be practicable, and such election shall be for the unexpired term of such office.
- E. In the event the Chairperson and Vice Chairperson are both absent from a meeting, the Committee may elect a Chairperson Pro-tempore to preside over the meeting during the absence of the Chairperson and Vice Chairperson.
- F. Additional bylaws may be adopted for the purpose of conducting the business of the Committee.

V. AMENDMENT

- A. Amendment of this resolution consistent with or necessary to carry out or support the purpose of the Committee may be proposed by vote of the Committee or by the District's Board of Directors. The Board will consider and act upon the proposed amendment without delay but following not less than three calendar days (72 hours) written notice to each Committee member of the time and place when and where the proposed amendment is to be acted upon.

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by the following vote on November 12, 2013:

AYES: Directors R. Santos, L. LeZotte, T. Estremera, B. Keegan, D. Kennedy,
B. Schmidt, N. Hsueh

NOES: Directors None

ABSENT: Directors None

ABSTAIN: Directors None


SANTA CLARA VALLEY WATER DISTRICT

By:


NAI HSUEH

Chair/Board of Directors

ATTEST: MICHELE L. KING, CMC


Clerk/Board of Directors

Attachment 1

Page 3 of 3

Attachment 1
Page 3 of 4

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APPLICATION FOR A SANTA CLARA VALLEY WATER DISTRICT COMMITTEE

F720D01 (B) (1-19-12)

Please complete this application in its entirety and submit an original signed copy to the Office of the Clerk of the Board at 5750 Almaden Expressway, San Jose, California 95118. If more space is needed, please attach additional pages. Applications are valid for one year from the date of receipt and are public record. This application is available on-line at www.valleywater.org under "Board of Directors." For assistance, please contact the Office of the Clerk of the Board at (408) 265-2607, extension 2277.

A. CONTACT INFORMATION

Name of Committee: Safe, Clean Water Natural Flood Protection Program's Independent Monitoring Committee.			
Name (First, Middle, Last): Virginia Louise Holtz			
Home Phone: -----	Work Phone:	Cell Phone: -----	Fax:
Mailing Address: (Street Address, City, State, ZIP)			
E-mail: -----			
If Applicable, Present Employer (Name and Address):		Job Title:	
Do you have a current contractual relationship with the Santa Clara Valley Water District? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please describe (if more space is needed, please attach additional pages):			

B. VOLUNTEER EXPERIENCE

List current and previous volunteer experience. Include experience with charitable organizations, committees and commissions, or public offices you may have held and relevant dates. If more space is needed, please attach additional pages.		
DATE(S):	NAME:	RESPONSIBILITIES/EXPERIENCE:
See Attached		

C. INTEREST AND AVAILABILITY

How did you hear about this committee opening?

- ☐ District Website ☒ Director (please specify): Linda Lezotte
☐ Committee Member (please specify): ☐ Other (please specify):

Please describe your interest in serving on this committee:

I will soon be retired from serving as a Director on the Open Space Authority Board and have some knowledge of and interest in water issues. And I have time to serve. Safe reliable water is critical to the health and sustainability of our communities and changing climate adds more uncertainty to procuring water from outside our county in the future. SCVD is planning for the future and I would like to add my voice to monitoring its efforts.

Please describe your relevant qualifications, such as specific skills, training, or knowledge that should be considered in applying for this committee:

I am knowledgeable of government regulations like the Brown Act and have up-to-date Ethics and Sexual Harassment Prevention Training. I was a strong voice on OSA Board to obtain a Transparency Certificate of excellence from SCSDA. This training has given me the strong background to move government forward smoothly. My broad experience in working in groups, listening to different opinions and trying to reach consensus has been developed over the years. I am an experienced chair, who leads meetings seeking input from all, yet keeping a group on task. I have some knowledge of SCVWD, attending a tour of the delta and pumping station, organized a League of Women Voters Coyote Valley Tour where Director Varela spoke to the group about water issues and especially water in Coyote Valley. The OSA has received grants from Safe, Clean Water Program and I attended joint OSA and SCWD Boards on One Water Plan.

How would the community benefit by your participation on this committee?

I thoughtfully consider any decisions looking to how the community is best served and would share the outcomes from IMC with League of Women Voters groups and others. My experience on many city task forces has given me some knowledge of the needs of the entire city of San Jose.

Are you available to attend committee meetings when scheduled? (please go to www.valleywater.org for committee meeting schedule details) ☒ Yes ☐ No If No, please describe:

If you have a disability, what accommodations would you need to serve on this committee?

D. EMERGENCY CONTACT INFORMATION

In case of emergency, contact:

1. Name: Phone: _____
2. Name: Phone: _____

I, HEREBY, ATTEST THAT THE ABOVE INFORMATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND MAY BE VERIFIED BY THE SANTA CLARA VALLEY WATER DISTRICT. I UNDERSTAND THAT MISREPRESENTATION OR OMISSIONS MAY BE CAUSE FOR MY IMMEDIATE REJECTION AS AN APPLICANT OR TERMINATION FROM APPOINTMENT TO A COMMITTEE.

Virginia Holtz
Applicant Signature

10.15, 2018
Date Signed

VOLUNTEER EXPERIENCE

2005 to present: Santa Clara Valley Open Space Authority, Director, District 5.
My term expires December 2018 and I did not seek re-election.

1994- 2005 Helped in establishing Santa Clara County (Valley) Open Space Authority and served on the Citizens Advisory Committee(CAC) which was directed by the Board to develop a CAC Handbook and an Open Space Authority Five Year Plan.

2017-19 San Jose-Santa Clara League of Women Voters, Nominating Committee Chair
I was trained to identify leadership skills among members to serve on a 15 member board whose mission is empowering Voters, Defending Democracy.

1987-89 SJSC League of Women Voters, President
I developed expertise in managing and leading a not-for-profit organization, acquired knowledge of how government works, and experience in how to advocate for good government, and conduct Pros and Cons presentations on ballot measures.

1990's to present; Served on numerous LWV Committees
For example, I served on committees that established a Coyote Valley Position, Energy Policy and co-chaired the local League Climate Change Policy.

2006-08 San Jose Sunshine Task Force, member
We made recommendations to SJ City Council on transparency, access to public records, administration and accountability, and ethics and conduct.

2009 San Jose Greenprint update: A strategic Plan to 2020, member
We focused on fiscal management and commitment to infrastructure and financial sustainability. We also provided a Needs Analysis to set priorities for development.

2006-2013 Santa Clara Valley Habitat Conservation Plan, First serving on the Stakeholder Committee, then actual Liaison Group
Became knowledgeable about the landscape of Santa Clara County, what endangered species were located locally historically and where is the most viable land to provide optimum protection for survival of those threatened and endangered species.

2000 SJ Greenprint Task Force, member

As a committee member we created a planning document identifying projects for Parks, Recreation and Neighborhood services.

**1994-2003 Guadalupe River Park and Gardens, founder and Board member
(Renamed Guadalupe River Park Conservancy)**

The committee established a non-profit organization to create public Gardens adjacent to the river. I served on 2002 GRPG Master Plan Committee.

1994 South Bay Water Recycling Program Advisory Committee

I learned about the need to protect the bay and endangered species by capturing out flowing-water, and piping it upstream for non-potable use.

1992-93 San Jose General Plan 2020 Task Force, member

I learned the importance of good planning to create a healthy city.

1988-1991 Coyote Creek/Kelley Park Master Plan, member

I developed skills working with people with many diverse interests.

1983-92 San Jose Parks and Recreation Commission, Chair 1985—87

I gained experience in operating under California's Brown Act.

1982 San Jose Wallenberg Park Naming Committee, Chair

I developed leadership skills in advocacy, naming the park as well as seeking funds to develop the Wallenberg Park Plan. I led the committee in creating an essay contest for local schools to understand who Raul Wallenberg was, and why we should have a park named in his honor.

File No.: 18-1042

Agenda Date: 11/27/2018

Item No.: 3.4.

BOARD AGENDA MEMORANDUM

SUBJECT:

Membership Nominations for Committee Appointments to the Agricultural Water Advisory Committee and Environmental and Water Resources Committee.

RECOMMENDATION:

- A. Consider nominations for two-year membership re-appointments of Russ Bonino, Mitchell Mariani, James Provenzano, William Cilker, David Vanni, Jan Garrod, Michael Miller, and Robert Long to the Agricultural Water Advisory Committee; and
- B. Consider nominations for two-year membership re-appointments of Bonnie Bamburg, Loren Lewis, Rita Norton, Charles Taylor, John Bourgeois, Bob Levy, Tara Martin-Milius, Sachihiko (Mike) Michitaka, Marc Rauser, Tess Byler, Steven Jordan, and Arthur M. Keller, Ph.D., to the Environmental and Water Resources Committee.

SUMMARY:

In accordance with Board Governance Process Policy - 8, Board Committees are established to assist the Board with policy advice, District Mission implementation, respective expertise, and, very importantly, to help produce the link between the District and the community.

The following committee members' nominations to the Agricultural Water Advisory Committee (Ag Water) and Environmental and Water Resources Committee (EWRC) are submitted for Board re-appointment consideration in accordance with Board Resolution 15-28, Providing for and Defining the Structure and Function of Board Committees (Attachment 1).

Applicant Name	Nominating Director	Nomination (2-year term)	Membership Category	Board Action: Re-appointment
Russ Bonino	Director Varela	Ag Water	District 1	Re-appointment
Mitchell Mariani	Director Varela	Ag Water	District 1	Re-appointment
James Provenzano	Director Keegan	Ag Water	District 2	Re-appointment
William Cilker	Director Santos	Ag Water	District 3	Re-appointment
David Vanni	Director Santos	Ag Water	District 3	Re-appointment
Jan Garrod	Director Hsueh	Ag Water	District 5	Re-appointment

Michael Miller	Director Hsueh	Ag Water	District 5	Re-appointment
Robert Long	Director Estremera	Ag Water	District 6	Re-appointment
Bonnie Bamburg	Director Varela	EWRC	District 1	Re-appointment
Loren Lewis	Director Varela	EWRC	District 1	Re-appointment
Rita Norton	Director Varela	EWRC	District 1	Re-appointment
Charles Taylor	Director Santos	EWRC	District 3	Re-appointment
John Bourgeois	Director LeZotte	EWRC	District 4	Re-appointment
Bob Levy	Director LeZotte	EWRC	District 4	Re-appointment
Tara Martin-Milius	Director Hsueh	EWRC	District 5	Re-appointment
Sachihiko (Mike) Michitaka	Director Hsueh	EWRC	District 5	Re-appointment
Marc Rauser	Director Hsueh	EWRC	District 5	Re-appointment
Tess Byler	Director Kremen	EWRC	District 7	Re-appointment
Steven Jordan	Director Kremen	EWRC	District 7	Re-appointment
Arthur M. Keller	Director Kremen	EWRC	District 7	Re-appointment

FINANCIAL IMPACT:

The Office of the Clerk of the Board has budgeted funds to support the business meetings of the Board's Advisory Committees for Fiscal Year 2018-2019.

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: SCVWD Resolution No. 15-28

UNCLASSIFIED MANAGER:

Michele King, 408-630-2711

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

RESOLUTION 15-28

**PROVIDING FOR AND DEFINING THE STRUCTURE AND FUNCTION OF
ADVISORY COMMITTEES TO THE SANTA CLARA VALLEY WATER DISTRICT
BOARD OF DIRECTORS AND REPEALING RESOLUTION 14-102**

BE IT RESOLVED by the Board of Directors of the Santa Clara Valley Water District as follows:

There have been established as advisory to the Santa Clara Valley Water District (District) Board of Directors (Board), in accordance with the District Act, the following committees (hereafter "Committees"), which shall continue in accordance with the provisions of this resolution:

1. Agricultural Water Advisory Committee (established by the District Act, which states "... The Board shall create an advisory committee consisting of farmers to represent users of agricultural water.");
2. Environmental and Water Resources Committee; and
3. Santa Clara Valley Water Commission.

1.0 PURPOSE

- 1.1 This resolution sets forth the purpose, activities, and membership guidelines of the Committees.
- 1.2 The Committees are established to assist the Board with policy review and development, provide comment on activities in the implementation of the District's mission for Board consideration, and to identify Board-related issues pertaining to the following:
 - 1.2.1 **Agricultural Water Advisory Committee:** agricultural water supply and use and groundwater production charges.
 - 1.2.2 **Environmental and Water Resources Committee:** water supply, flood protection, and environmental stewardship.
 - 1.2.3 **Santa Clara Valley Water Commission (Commission):** water supply, flood protection, and environmental stewardship.
- 1.3 In accordance with Governance Process Policy-8, the specific duties of the Committees are to:
 - 1.3.1 Provide input on policy alternatives for Board deliberation.
 - 1.3.2 Provide comment on the activities in the implementation of the District's mission for Board consideration.
 - 1.3.3 Produce and present to the Board an Annual Accomplishments Report summarizing the outcomes of the Committee's annual Board-approved work plan.

1.3.4 Further, in accordance with Governance Process Policy-3, when requested by the Board, the Advisory Committees may help the Board produce the link between the District and the public through information sharing to the communities they represent.

1.4 In carrying out these duties, the Committee members bring to the District their respective expertise and the interests of the communities they represent.

2.0 MEMBERSHIP

2.1 Committee membership shall consist of the following:

Agricultural Water Advisory Committee

2.1.1 The Agricultural Water Advisory Committee shall be comprised of 16 members who are farmers and reside or do business, as determined by the Board, within Santa Clara County.

2.1.2 The Agricultural Water Advisory Committee shall also be comprised of one member who owns a private well (non-retail) within Santa Clara County.

2.1.3 Each Director may nominate up to two farmers who reside and/or farm within the nominating Director's district. In the event that a Director is unable to nominate a farmer from his/her district, the Director may nominate a farmer from anywhere within Santa Clara County.

2.1.4 The Loma Prieta Resource Conservation District and the Santa Clara County Farm Bureau may each nominate one representative for appointment as long as the nominee is a farmer who resides or does business, as determined by the Board, within Santa Clara County.

2.1.5 The Agricultural Water Advisory Committee does not have alternate members.

Environmental and Water Resources Committee

2.1.6 Effective July 1, 2015, the Environmental and Water Resources Committee shall be comprised of 21 At-Large members, who reside or do business, as determined by the Board, within Santa Clara County.

2.1.7 Effective July 1, 2015, each Director may nominate up to three at-large members.

Santa Clara Valley Water Commission

2.1.8 The Santa Clara Valley Water Commission shall be comprised of 18 elected representatives: one from each City and Town in Santa Clara County, the County of Santa Clara, the Santa Clara County Open Space Authority, and the Midpeninsula Regional Open Space District.

Each elected representative may have at least one alternate who may be another elected official or staff person from the same jurisdiction.

- 2.1.9 All municipal representatives and alternates to the Santa Clara Valley Water Commission shall be appointed by their perspective agency.
- 2.2 Committee members and alternates (where applicable) serve a two-year renewable term that begins upon appointment, or January 1 if a renewed appointment, and expires on December 31 of the year following appointment. Term of office for Committee members and alternates who are appointed mid-year shall begin upon appointment and run through December 31 of the year following appointment.
- 2.3 Board appointed Committee members shall be held over until they are reappointed or successors are appointed by the Board.
- 2.4 Municipal appointed Committee members shall be held over until they are reappointed or successors are appointed by the County of Santa Clara and each City and Town therein.
- 2.5 Board member nominee appointments to Committees shall be subject to a majority vote of a quorum of the Board.
- 2.6 Following two or more consecutive unexcused absences, the Board may choose to remove a Board appointee. An unexcused absence is defined as failure to notify the District at least 48 hours in advance that the member will not attend the meeting.
- 2.7 Nothing in this resolution affects the eligibility of any current member of any Committee to serve out his or her current term, as long as the member continues to meet the eligibility criteria in effect when he or she was appointed to the Committee.

3.0 OFFICERS AND DUTIES

- 3.1 The officers of each Committee shall be a Chairperson and Vice-Chairperson, both of whom shall be members of that Committee. The Chairperson and Vice-Chairperson shall be elected by the Committee, each for a term of one year commencing on January 1 and ending on December 31 and for no more than two consecutive terms. The Committee shall elect its officers at the first meeting of the calendar year. All officers shall hold over in their respective offices after their term of office has expired until their successors have been elected and have assumed office.
- 3.2 The Chairperson shall have the following authority and duties:
 - (a) Preside at all meetings of the Committee;
 - (b) Facilitate productive meetings in accordance with posted Agenda and the Ralph M. Brown Act (open meeting law);

- (c) Add items to the committee agenda;
 - (d) Invite speakers for any agenda item;
 - (e) Manage speaker time limits;
 - (f) Facilitate communication of committee comments, requests, and recommendations to the Board of Directors;
 - (g) Report to the committee on decisions of the Board of Directors which impact the committee's activities; and
 - (h) Perform other such duties as the Committee may prescribe consistent with the purpose of the Committee.
- 3.3 The Vice-Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson. In case of the unexpected vacancy of the Chairperson, the Vice-Chairperson shall perform such duties as are imposed upon the Chairperson until such time as a new Chairperson is elected by the Committee.
- 3.4 Should the office of Chairperson or Vice-Chairperson become vacant during the term of such office, the Committee shall elect a successor from its membership at the earliest meeting at which such election would be practicable and such election shall be for the unexpired term of such office.
- 3.5 Should the Chairperson and Vice-Chairperson know in advance that they will both be absent from a meeting, the Chair may appoint a Chairperson Pro-tempore to preside over that meeting. In the event of an unanticipated absence of both the Chairperson and Vice-Chairperson, the Committee may elect a Chairperson Pro-tempore to preside over the meeting in their absence.

4.0 MEETINGS

- 4.1 Meetings of the Committees shall be open and public and called in accordance with the Ralph M. Brown Act, Government Code Sections 54950 and following. Such meetings shall be held at the District Headquarters or such other place and time within Santa Clara County as the Board may designate.
- 4.2 Special meetings may be called by the Board and conducted in accordance with Section 54956 of the Government Code.
- 4.3 Committees shall convene four times per year or more often, as authorized by the Board, except for the Agricultural Water Advisory Committee, which shall convene at least once a year, or more often, as authorized by the Board.
- 4.4 The Board approves and sets all Committee annual work plans and meeting agendas. Committee meeting agendas will be considered pre-approved by the Board once it has approved each of the annual Advisory Committee work plans. Modifications to meeting agendas will be considered by the Board, or Board

Chair, as needed, through a review of the pre-approved work plans when it receives and considers Committee policy recommendations, comments, and requests, staff recommended modifications, and requests by members of the public. The Board may also initiate modifications to pre-approved work plans at any time.

- 4.5 Notices of each meeting, together with an agenda, the draft minutes of the preceding meeting, and supporting meeting materials, shall be provided to the Committee members no less than ten business days in advance.
- 4.6 Any Committee meeting in which all items on the Agenda are informational, excluding the approval of meeting minutes, will be cancelled and notification sent from the Clerk of the Board at least ten days prior to the scheduled meeting date.
- 4.7 A majority of the appointed members of the Committee or their alternates is required to constitute a quorum for the purposes of conducting its business and exercising its powers and for all other purposes. If the Clerk of the Board, or his/her designated representative (Clerk), has been notified at least two business days in advance of a scheduled meeting that a quorum will not be present, the Clerk will cancel the meeting and notice the membership of the cancellation.
- 4.8 In the event that a Committee meeting is cancelled due to the lack of a quorum, upon concurrence of the Committee Chair and the Board Representative, the Committee meeting may be re-scheduled or re-convened to a specified date, time, and place.
- 4.9 In the event a quorum of the Committee is not present at the scheduled start time of the meeting, or is lost during the meeting, at the discretion of the Chair of each Advisory Committee, individual Committee members present in the room may proceed to hear informational agenda items, including any staff reports. No action shall be taken on any agenda item when a quorum does not exist. No official record of statements made by individual Committee members, staff, or members of the public will be created. However, if a quorum is achieved at any time, action items may be heard, discussed, and voted upon.
- 4.10 Except for such actions to adjourn, action of the Committee may be taken only upon the affirmative vote of not less than a majority of the appointed members or their alternates present. The voting on all matters shall be by voice vote unless a roll call vote is called for by any member of the Committee. Only appointed Committee members or appointed alternates (who are sitting in an appointed member's stead) may vote on a matter.
- 4.11 Discussion on any agenda item by either Committee members or by any member of the general public may be limited, at the discretion of the Chairperson, to such length of time as the Chairperson may deem reasonable under the circumstances.
- 4.12 The Committee may adjourn any regular or special meeting to a time and place specified in the order of adjournment.

5.0 SUB-COMMITTEES

- 5.1 Subcommittees of Board Advisory Committees will not be recognized. However, less than a quorum of Committee members may meet informally outside of meetings in accordance with Ralph M. Brown Act requirements.

BE IT FURTHER RESOLVED that Resolution No. 14-102 is hereby repealed.

PASSED AND ADOPTED by the Board of Directors of Santa Clara Valley Water District by the following vote on April 14, 2015

AYES: Directors T. Estremera, N. Hsueh, B. Keegan, D. Kennedy, L. LeZotte, R. Santos, G. Kremen

NOES: Directors None

ABSENT: Directors None

ABSTAIN: Directors None

SANTA CLARA VALLEY WATER DISTRICT

By: 

GARY KREMEN
Chair/Board of Directors

ATTEST: MICHELE L. KING, CMC


Clerk/Board of Directors

File No.: 18-1039

Agenda Date: 11/27/2018

Item No.: *3.5.

BOARD AGENDA MEMORANDUM

SUBJECT:

CEO Bulletin for the Week of November 16-22, 2018.

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: 112218 CEO Bulletin

UNCLASSIFIED MANAGER:

Norma Camacho, 408-630-2084

To: Board of Directors
From: Norma J. Camacho, CEO

Chief Executive Officer Bulletin Week of November 16 - 22, 2018

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>	FY18 Safe, Clean Water and Natural Flood Protection Program Annual Report
<u>2</u>	District's November 16, 2018, Emergency Operations Center Exercise
<u>3</u>	Annual Floodplain Mailer Distribution
<u>4</u>	Chair Santos Leads District Delegation on Washington, DC, Advocacy Trip
<u>5</u>	Improving Water Supply Planning with the Water Supply Planning Database
<u>6</u>	2nd Annual Volunteer Recognition Event - Monday, December 3, 2018
<u>7</u>	District Holiday Tree at Christmas in the Park Event in San Jose

FY18 Safe, Clean Water and Natural Flood Protection Program Annual Report

As authorized by the board on October 9, 2018, the Fiscal Year 2017-2018 Safe, Clean Water and Natural Flood Protection Program Annual Report – Year 5 was finalized with audited financials on November 16, 2018. The report is available on the Program webpage (https://www.valleywater.org/sites/default/files/SCW_FY18%20Annual%20Report_111618%20JC_optimized.pdf) and was distributed electronically on November 16, 2018, to the Independent Monitoring Committee (IMC), the board, and Program staff. Additional hard copies are available to the public upon request and the report will be sent out electronically through the district's eNewsletter.

In addition to incorporating the text adjustments approved by the board, the report has incorporated the recommendations made by the IMC. One (1) such recommendation was to include the 5-Year Implementation Plan Glossary as a new appendix. Additionally, two (2) of the other appendices from the 5-Year Implementation Plan have been incorporated into the Year 5 Safe, Clean Water Annual Report as Appendices G and H, which are designed to help the reader understand the projects by organization structure and mission area, respectively.

Other improvements to enhance the reader's experience include tabs for each priority in hard-copy reports, as well as an interactive electronic PDF, which will be available online in the coming week.

The IMC is scheduled to reconvene on December 12, 2018. The agenda includes receiving presentations from the district as recommended in the IMC's Report reviewing the FY17 Safe, Clean Water Annual Report. Additionally, the IMC will be setting the schedule and process for its review of the FY18 Safe, Clean Water Annual Report.

For further information, please contact Ngoc Nguyen at (408) 630-2632.

District's November 16, 2018, Emergency Operations Center Exercise

On November 16, 2018, the district hosted an Emergency Operations Center (EOC) Exercise. The exercise scenario was based on a credible bomb threat at Lenihan Dam. This was a functional exercise where the scenario moved in real time with different pieces of information coming into the EOC at different times, which initiated emergency coordination and support actions. The functional exercise simulated all aspects of the emergency outside of the EOC, which included district and external agency activities.

The EOC was activated at Level 1 (full activation), with two (2) EOC teams working through the scenario. The objectives of the exercise focused on EOC processes, situational awareness, and internal and external communications. The EOC teams were able to navigate through three (3) EOC Planning Process briefings and meetings while building parts of the EOC Action Plan. Both Water Utility and Watersheds Divisions were activated in the EOC with different scenario aspects applying to the divisional responsibilities.

60 district staff participated during the exercise. In addition, a control and simulation team of 11 people was used to conduct the exercise. Personnel from the cities of Palo Alto, Morgan Hill and Gilroy (retired emergency manager) supported the planning and exercise implementation. Some lessons learned include the need for additional trainings/workshops, building out status boards, reevaluation of EOC position staffing, recommendations for updates to EOC tools (Planning Process meetings/briefings and agendas), and the need for more physical space to support EOC functions.

Overall, the exercise was a success. In a no-fault environment, this exercise allowed the district to identify opportunities for improvement while dealing with a different type of emergency. By using a bomb threat (potential terrorist) incident at one of our dams, it created a sense of uncertainty because of the various scenario factors. By using a new scenario, it allowed the EOC to focus more on process rather than falling back into familiar response instincts. An After Action Report will be created to capture the findings from this exercise and recommend action items for improvement moving forward.

For further information, please contact Tina Yoke at (408) 630-2385.

Annual Floodplain Mailer Distribution

As part of the district's Flood Awareness Campaign, the annual flood awareness mailer will be distributed countywide to more than 52,000 properties within FEMA 100-year flood zones.

The poster-sized mailer comes in four languages (English, Spanish, Chinese and Vietnamese) and includes a countywide map that features our county's streams and indicates the FEMA flood-zone.

As part of the district's participation in FEMA's Community Rating System (CRS), district outreach efforts help reduce flood insurance premiums for residents. The district earns CRS points through our targeted outreach, which transfer into discounts for residents. The floodplain mailer is one of our highest CRS point-earning projects. It is an extensive piece of literature with information about flood risks, flood insurance, preserving creeks and flood safety tips and resources.

Additionally, the district participates in a Program for Public Information (PPI) under the CRS program, which consists of a specific multi-jurisdictional outreach plan among participating cities in Santa Clara County with nine (9) key CRS point-earning messages. The PPI allows the district to earn a greater number of points. This year's floodplain mailer highlights these nine (9) key messages, detailing measures residents can take to protect themselves from flooding.

The floodplain mailer will be mailed the week of November 19, 2018, the same week the paid flood awareness campaign begins. This year's campaign theme is 'Climate Changed' and features a flooding scene from the 2017 Coyote Creek flood. An electronic copy of the mailer, adapted for viewing online is available at www.valleywater.org/floodready.

For further information, please contact Rick Callender at (408) 630-2017.

Chair Santos Leads District Delegation on Washington, DC, Advocacy Trip

On November 13-15, 2018, Chair Santos led a district delegation to Washington, DC, to advocate for the board's and the district's interests with the administration and Congress. Under the Chair's leadership, the district advocated for several high priority projects and initiatives in more than 20 meetings with the district's Congressional delegation, elected and appointed officials, agency leadership, and congressional committee staff. That advocacy included: Phase II funding for the Shoreline Project; continued support and funding for the Upper Guadalupe Project; Phase II construction funding for the Llagas Creek Project; funding and support for the Pacheco Project; Central Valley Project Contract Conversion; and funding and support for Title XVI Program projects, to name just a few. The district is now following up on several action items to ensure that these district priorities continue to advance with federal decision makers and regulators. The board will be kept apprised of developments on these projects and initiatives.

For further information, please contact Rachael Gibson at (408) 630-2884.

Improving Water Supply Planning with the Water Supply Planning Database

Water supply planning activities require complete and accurate data to support analysis, modeling, reporting and planning. The Water Supply Planning Database (WSPDB) project is a collaborative effort between the Water Supply, Raw Water O&M, Financial Planning and Management and IT Divisions to address three (3) significant challenges with respect to water supply planning activities:

- A system that is obsolete and no longer supported;
- A lack of a central and authoritative repository for water supply and consumption data; and
- Inefficiencies from redundant and cumbersome data entry.

Completed in October of 2018, the WSPDB project better supports the district's planning and operations by:

- Enabling faster and more flexible, accurate, and consistent development of water production and consumption reports;
- Automating manual processes;
- Providing data visualization and analytics; and
- Significantly saving staff time.

Additional enhancements and reports are now underway.

For further information, please contact Tina Yoke at (408) 630-2385.

2nd Annual Volunteer Recognition Event - Monday, December 3, 2018

On Monday, December 3, 2018, the district will be hosting the 2nd Annual Volunteer Recognition Event. The event will be held in the Boardroom at District Headquarters. The event is held in appreciation of volunteers who contributed personal time and energy to improve the quality of life for the community and our local waterways. The Volunteer Recognition Event is a visible acknowledgment of the vital role volunteers play in our Adopt-A-Creek Program, National River Cleanup Day, and Coastal Cleanup Day efforts and helps foster continued volunteer service and creek stewardship.

Seven (7) individuals will be recognized from each district and have been selected by their respective directors. These volunteers were nominated based on the 2018 trash removal and volunteer engagement data. The selected individuals are motivating and inspiring volunteers who continue to spread a positive message, show appreciation of fellow volunteers, and resonate the district's mission through their on-going support.

All Directors, CEO, Chiefs and volunteers/site-coordinators from the Adopt-A-Creek Program, National River Cleanup Day and Coastal Cleanup Day have been invited to attend the event. The event will be held from 6 - 7:30 p.m. and appetizers will be provided.

For further information, please contact Rick Callender at (408) 630-2017.

District Holiday Tree at Christmas in the Park Event in San Jose

This year, in the spirit of celebrating the holidays and our collective efforts to keep our waterways clean and pollutant-free, the district is sponsoring a tree at the Christmas in the Park event in San Jose, adopting the theme "Trash to Treasure." All of the ornaments were hand-made by district employees using various items typically found during creek cleanups.

Ornaments include plastic spoons and wine corks turned into reindeers, plastic water bottles turned into poinsettias and snowflakes, and bottle caps turned into snowmen. During the All-Employee event, employees made more than 100 ornaments that will be used to decorate the

tree. The tree will be on display at Christmas in the Park from November 23 - December 25, 2018. The event will be held at the Plaza de Cesar Chavez on Market Street between San Fernando and San Carlos St. This is the district's first year sponsoring a tree at the event.

For further information, please contact Rick Callender at (408) 630-2017.

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File No.: 18-0844

Agenda Date: 11/27/2018

Item No.: 4.1.

BOARD AGENDA MEMORANDUM

SUBJECT:

Fiscal Year 2019 Board Policy Planning and Performance Monitoring Calendars.

RECOMMENDATION:

Review, discuss, and revise the Fiscal Year 2019 Board Policy Planning and Performance Monitoring Calendars.

SUMMARY:

This item provides the Board an opportunity to review, discuss and revise the Fiscal Year 2019 Board Policy Planning and Performance Monitoring Calendars (FY19 Board Calendar) and identify appropriate items for Board Advisory Committee work plans for discussion and feedback to the Board.

The current FY19 Board Calendars are attached for Board review.

FINANCIAL IMPACT:

There is no financial impact associated with this item.

CEQA:

The recommended action is a ministerial action and thus is not subject to the requirements of CEQA.

ATTACHMENTS:







Attachment 1: FY19 Policy Planning Calendar









Attachment 2: FY19 Performance Monitoring Calendar

UNCLASSIFIED MANAGER:

Michele King, 408-630-2711








Board Policy Planning Calendar







FY 2018-19 Board Policy Planning Calendar Items	Frequency	Planned Board Meeting Dates		Advisory Committees Work Plan Yes/Timing	Advisory Committee Outcome Advice/ Information
		July-Dec	Jan-June		
 Board Governance					
Board Sets Strategic Direction and Priorities	Annually	10/2018			
Governance Policy Revisions: <ul style="list-style-type: none">• Surface Water Turnouts	As Need – TBD by Committee				
Legislative Outlook 2018	Annually		01/2019		
Policy Issues Identified by Audit Committee	TBD by Committee				
 Community Linkage					
Utilization of Education Centers	One Time	11/27/18			
 E.2.1. Current and future water supply for municipalities, industries, agriculture, and the environment is reliable.					
WP – Actively Participate in Decisions Regarding the California WaterFix	As Needed				
Water Supply Master Plan 2040	Quarterly	9/25/18	TBD		
Policy Issues Identified by Recycled Water Committee	TBD by Committee				
Policy Issues Identified by FAHCE Ad Hoc Committee	TBD by Committee				
Policy Issues Identified by Water Supply and Demand Management Committee	TBD by Committee				
 E.2.3. Reliable high quality drinking water is delivered.					
 E.3.1. Provide natural flood protection for residents, businesses, and visitors.					
 E.3.2. Reduce potential for flood damages.					
Maintenance Roles and Responsibilities on both District Owned and Non-District-Owned, Improved and Unimproved Natural Creeks and Creekside Lands	Assigned to BPPC				

FY 2018-19 Board Policy Planning Calendar Items	Frequency	Planned Board Meeting Dates		Advisory Committees Work Plan Yes/Timing	Advisory Committee Outcome Advice/ Information
		July-Dec	Jan-June		
 E.4.1. Protect and restore creek, bay, and other aquatic ecosystems.					
Policy Issues Identified by the Homeless Encampment Ad Hoc Committee	TBD by Committee				
One Water – Plan Development: <ul style="list-style-type: none">Land Acquisition and Preservation for Comprehensive Water Resources ManagementEncroachment on District Properties	Assigned to BPPC				
 E.4.2. Improved quality of life in Santa Clara County through appropriate public access to trails, open spaces, and District facilities.					
Policy for Use of District Property for Trails, Open Space and Recreation	Assigned to BPPC				
Information and Updates on Joint Use of District Property for Trails	One Time	TBD			
 E.4.3. Strive for zero net greenhouse gas emission or carbon neutrality.					
Review Board Policy E-4.3 – Strive for zero net greenhouse gas emission or carbon neutrality.	One Time		TBD		
 EL-3. Human Resources					
 EL-4. Capital Improvement Program					
Watershed Capital Program Funding Issues	Assigned to CIP Committee				
Water Utility Capital Program Funding Issues	Assigned to CIP Committee				
FY20-24 CIP	3 to 4 meetings between Dec & May		1/8, 2/26, 5/14		
 EL-4. Financial Management					
Open Space Credit & SWP Tax	Annually	11/20			
FY 19-20 Financial Planning, Budget Message, Budget Development, and Groundwater Production Charges	6 to 8 meetings (Dec thru May)	11/27 12/11	1/8, 2/12, 3/26, 4/9, 4/11, 4/23, 4/24, 4/26, 5/14		
 EL-5. Procurement					
 EL-6. Asset Protection					

WP – FY19 Board Work Plan

Performance Monitoring Calendar

FY 2018-19 Performance Monitoring Items	Frequency	Planned Board Meeting Dates		Advisory Committees Work Plan Yes/Timing	Advisory Committee Outcome Advice/ Information
		July-Dec	Jan-June		
 Board Governance					
Board Self-Assessment	Annually	Process being reviewed by Audit Committee	3/2019		
Board Expense Report	Quarterly	9/2018 12/2018	3/2019 6/2019		
BAOs Performance Evaluation	Quarterly	8/2018 9/2018	TBD		
BAOs Compensation Review	Annually	TBD			
 Community Linkage					
District Communication Program Update	Semi-Annually	11/20	6/11		
Safe, Clean Water Programs Update	Annually	9/2018			
 E.2.1. Current and future water supply for municipalities, industries, agriculture, and the environment is reliable.					
Water Supply Outlook	Annually	TBD			
Water Supply Master Plan (2012) Update	Annually	11/20			
Groundwater Management Program Update including Salt/Nutrient Management	Annually	TBD			
WP- Advance Recycled and Purified Water Efforts with City of San Jose and other agencies	Assigned to Recycled Water Committee				
 E.2.3. Reliable high quality drinking water is delivered.					
 E.3.1. Provide natural flood protection for residents, businesses, and visitors.					
Report on Key Decision Points for Safe, Clean Water Program			TBD		
 E.3.2. Reduce potential for flood damages.					
Winter Preparedness Update	Annually	End of Summer			
 E.4.1. Protect and restore creek, bay, and other aquatic ecosystems.					
					Attachment 2

FY 2018-19 Performance Monitoring Items	Frequency	Planned Board Meeting Dates		Advisory Committees Work Plan Yes/Timing	Advisory Committee Outcome Advice/ Information
		July-Dec	Jan-June		
 E.4.2. Improved quality of life in Santa Clara County through appropriate public access to trails, open spaces, and District facilities.					
WP – Foster a Coordinated Approach to Environmental Stewardship Efforts	Assigned to CIP Ad Hoc Committee				
WP – Finalize FAHCE Effort	Assigned to FAHCE Ad Hoc Committee				
 E.4.3. Strive for zero net greenhouse gas emission or carbon neutrality.					
Climate Change Mitigation—Carbon Neutrality by 2020 Program Update	Annually	11/20			
Update on Climate Change Adaptation	Annually		TBD		
 EL-3. Human Resources					
WP – Advance Diversity and Inclusion Efforts	Assigned to the Diversity & Inclusion Ad Hoc Committee				
Diversity and Inclusion Performance Measures – Requested by D&I Committee	One Time	TBD			
 EL-4. Capital Improvement Program					
WP – Provide for Watershed-wide Regulatory Permitting Effort	Assigned to CIP Committee (Provide regular Report to Board)				
WP – Advance Anderson Dam Seismic Retrofit Project	Assigned to CIP Committee (Provide regular Report to Board)				
Dam Safety Capital Program Construction Sequence Issues/Challenges – Requested by CIP Committee	One Time	TBD			
Federal Appropriation Requests/Priorities	Annually		2/26		
COE Projects/Partnership Update	Annually		TBD		
Water Utility Capital Projects	Annually		5/26		
Watershed Capital Projects (Non COE)	Annually		4/9		
Building & Ground Capital Projects Update	Annually		TBD		
Information Technology Capital Projects Update	Annually		TBD		
 EL-4. Financial Management					
 EL-5. Procurement					
Contract Compliance Enforcement and Effectiveness related to Consultant Agreement Amendments	Assigned to CIP Committee				

FY 2018-19 Performance Monitoring Items	Frequency	Planned Board Meeting Dates		Advisory Committees Work Plan Yes/Timing	Advisory Committee Outcome Advice/Information
		July-Dec	Jan-June		



EL-6. Asset Protection

Dam Safety Program	Annually		TBD		
Asset Management Program (including Dams, small assets, data/programs)	Annually		TBD		
Vulnerability Assessment	One Time	TBD			
Information Technology Master Plan Implementation	Exception Reporting				

WP – FY19 Board Work Plan

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File No.: 18-0919

Agenda Date: 11/27/2018

Item No.: 5.1.

BOARD AGENDA MEMORANDUM

SUBJECT:

Planning for Fiscal Year 2019-20 Groundwater Production Charges.

RECOMMENDATION:

- A. Discuss planning for Fiscal Year 2019-20 Groundwater Production Charges and provide direction to staff on projection scenarios and on the fixed charge evaluation; and
- B. Rescind Resolution 12-11, AN AMENDED AND RESTATED RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA CLARA VALLEY WATER DISTRICT ADOPTING PROCEDURES FOR THE IMPOSITION OF GROUNDWATER PRODUCTION CHARGES.

SUMMARY:

This agenda item presents the Fiscal Year (FY) 2019-20 groundwater production charge setting process and provides an update on key issues that pertain to setting the charges that would take effect July 1, 2019 (Attachment 1).

Each year, the Board establishes groundwater production charges for two zones of benefit (Zone W-2 in the North County and Zone W-5 in the South County) in accordance with Section 26 of the District Act. Although not specified under the District Act, the Board also sets surface water charges, recycled water charges, treated water surcharges, and the amount of the State Water Project cost to be recouped through the State Water Project tax, within the framework of the groundwater charge setting process.

The Water Utility taxing and pricing policy, Resolution 99-21 (Attachment 2) and legal requirements, guide staff in the development of the overall structure for these charges. The FY 2019-20 surface water charge setting process will be conducted consistent with Proposition 218's requirements for property-related fees for water services as detailed in Board Resolution 12-10 (Attachment 3).

In late 2017, the State Supreme Court found that proposition 218 is not applicable to groundwater production charges. However, the Court did determine that Proposition 26 does apply to groundwater charges. This means that for the groundwater charge to qualify as a nontax fee under Proposition 26, it must satisfy both of the following requirements:

1. That the groundwater charge be established in an amount that is no more than necessary to cover the reasonable costs of the government activity, and
2. The manner in which those costs are allocated to a payor bear a fair or reasonable

relationship to the payor's burdens on, or benefits received from the government activity.

The FY 2019-20 groundwater production charge setting process will be conducted consistent with Proposition 26's requirements. Staff recommends that the Board rescind Board Resolution 12-11 (Attachment 4), which would eliminate the majority protest procedure process. Other procedural requirements for property related fees and charges under Proposition 218, such as holding a public hearing and noticing well owners, are consistent with the District Act and would continue.

Under the District Act, Section 26.5, an annual report referred to as the Report on Protection and Augmentation of Water Supplies (PAWS) is to be filed with the Clerk of the Board on or before the first Tuesday in April. A public hearing must be held on or before the fourth Tuesday in April and it must be noticed to the public in a newspaper of general circulation at least 10 days in advance. In addition, all well owners and well operators on record are notified of proposed groundwater production increases in writing, and of the public hearing at least 45 days in advance. Groundwater production charges must be determined for the ensuing fiscal year prior to July 1 of the ensuing fiscal year. For each zone of benefit, groundwater production charges must be fixed and uniform per acre-foot for agricultural water and fixed and uniform per acre-foot for all water other than agricultural water.

Under the District Act, Section 26.3, groundwater production charges are to be used for the following purposes:

1. Pay for construction, operation, and maintenance of imported water facilities;
2. Pay for imported water purchases;
3. Pay for constructing, maintaining, and operating facilities which will conserve or distribute water including facilities for groundwater recharge, surface distribution, and purification and treatment; or
4. Pay for debt incurred for purposes 1, 2 and 3.

The Board may establish zones of benefit in accordance with the District Act. The objective of establishing various groundwater charge zones is to recover costs for the benefits resulting from District activities within that zone. The benefits and costs which are apportioned to zones by customer class are presented in the annual PAWS report.

The groundwater production charge reflects the benefit of District activities to protect and augment groundwater supplies and is applied to water extracted from the groundwater basin in Zones W-2 and W-5. Zone W-2 encompasses the Santa Clara groundwater subbasin north of Metcalf Road or the North County. Zone W-5 includes both the Coyote Valley and Llagas subbasin from Metcalf Road south to the Pajaro River or South County.

The District protects and augments water supplies for the health, welfare, and safety of the community. County-wide, groundwater replenished by the District makes up, on average, two-thirds of the groundwater used by residents, retailers, and businesses. The District replenishes the groundwater basins with local water and purchased water imported from the Sierra Nevada mountains and conveyed thru the San Francisco Bay Delta Estuary. The activities undertaken by the District to acquire, monitor, recharge, and protect the water supply are funded, in part, through groundwater production charges.

Water Usage Trend

District managed water use for FY 2017-18 is estimated to be approximately 226,000 acre-feet (AF), slightly higher than originally budgeted, and is roughly a 21% reduction versus calendar year 2013. For the current year, FY 2018-19, actual water usage is trending to meet the budget of 226,000 AF. The current projection for FY 2019-2020 is 237,000 AF, which is approximately a 5% increase compared to the FY 2018-2019 estimate. Water use appears to be rebounding at a faster pace than what was experienced after the previous drought.

Staff will carefully monitor monthly water use actuals and work closely with the water retailers during the upcoming rate setting process to modify the water usage forecast as necessary.

Fixed Charges

At the June 15, 2017, Water Conservation and Demand Management Committee (WCDM Committee) meeting, staff presented a plan to evaluate a fixed groundwater production charge concept, which if implemented, would help reduce revenue volatility associated with swings in water usage. Revenue volatility was a serious issue during the recent historic drought.

A preliminary analysis was completed and initial findings were presented to the Water Retailers Finance Subcommittee on September 25th and to the Water Retailers Committee on October 17th. After some discussion, a majority of the water retailers expressed opposition to a fixed charge being implemented at this time. Of key concern to the water retailers was that a fixed charge appeared to be redundant relative to the take-or-pay provision in the treated water contracts, and that a fixed charge would complicate the rate setting process for those water retailers regulated by the California Public Utilities Commission. In addition, staff has struggled with whether or not a fixed charge could be implemented for large water retailers only as opposed to all customers including unmetered individual well owners, and if so, whether this would cause an inequity between or among customer classes. As a result, staff recommends suspending the FY 2019-20 implementation effort, while continuing to research and engage the retailers. Staff will provide a detailed update on the effort at the next Water Conservation and Demand Management committee as requested by that committee at their October 31, 2018 meeting.

FY 20 Planning Scenario Ideas

Staff anticipates the need to provide several groundwater charge projection scenarios for Board consideration during this rate setting cycle. Staff would appreciate Board feedback on the following assumptions and scenario ideas:

Baseline Case Assumptions:

- Pacheco Reservoir Expansion
- California WaterFix (CVP at 6.7% of 33% share)
- California WaterFix (SWP at 2.5% of 67% share)
- Purified Water Expansion (24KAF)

- Los Vaqueros (Bethany Pipeline)
- Guiding Principle #5

Scenarios:

- Pacheco Reservoir Expansion Funding Alternatives
- Sites, Los Vaqueros (in addition to Bethany Pipeline)
- Purified Water Expansion alternatives beyond 24KAF

Based on Board feedback, various groundwater charge projection scenarios will be provided for Board consideration.

Planned Groundwater Charge Setting Schedule

Below are the key dates for the groundwater charge setting process as tentatively scheduled. The schedule calls for adopting the budget and groundwater production charges on May 14, 2019.

Jan 7: Agricultural Advisory Committee Meeting (Preliminary Groundwater Production Charge Analysis)

Jan 8: Board Meeting (Preliminary Groundwater Production Charge Analysis), CIP Work Study

Jan 16: Water Retailers Meeting (Preliminary Groundwater Production Charge Analysis)

Jan 23: Water Commission Meeting (Preliminary Groundwater Production Charge Analysis)

Jan 28: Environmental Water Resources Committee (Groundwater Production Discussion)

Feb 12: Board Meeting - Review draft CIP & Budget development update

Feb 22: File "Report on Protection & Augmentation of Water Supplies (PAWS)" with District Clerk of the Board & mail well owners and surface water users notice

Mar 20: Water Retailers Meeting (Groundwater Production Charge recommendation) tentative date

Mar 26: Board Meeting - Budget development update (2nd Pass)

Apr 01: Agricultural Advisory Committee Meeting (Groundwater Production Charge recommendation)

Apr 02: Landscape Committee Meeting (Groundwater Production Charge recommendation)

Apr 9: Board Meeting (Open Public Hearing on Groundwater Production Charges)

Apr 10: Water Commission Meeting (Groundwater Production Charge recommendation)

Apr TBD: Board Meeting (Continue Public Hearing on Groundwater Production Charges to South County)

Apr 23: Board Meeting (Continue and Conclude Public Hearing)

Apr 24-26: Board Meetings - Budget Work Study Sessions

May 14: Board Meeting (Adopt Groundwater Production Charges, Budget & CIP)

FINANCIAL IMPACT:

This preliminary analysis of the groundwater production charges does not have any direct financial impact; however, the adopted groundwater production charges will affect the future finances of the

Water Utility Enterprise.

CEQA:

CEQA Guidelines Section 15273: CEQA does not apply to establishment or modification of water rates.

ATTACHMENTS:

- Attachment 1: PowerPoint
- Attachment 2: Resolution 99-21
- Attachment 3: Resolution 12-10
- Attachment 4: Resolution 12-11

UNCLASSIFIED MANAGER:

Darin Taylor, 408-630-3068

Planning for FY 2019-20 Groundwater Production Charges

November 27, 2018



Topics

1. Background Information on Groundwater Production Charge Setting Process
 - ▶ District Act
 - ▶ Prop 218 & Prop 26
 - ▶ Pricing Policy
2. North County & South County Infrastructure
3. Water Usage
4. Financial Background
 - ▶ Key Financial Targets
 - ▶ Fixed Charge Analysis
5. Rate Setting Strategy for FY 20
6. Schedule
7. Summary

District Act Details Several Process Requirements to Set Groundwater Production Charges

- ▶ Requires setting of groundwater production charges once per year
 - ▶ Option to do mid-year adjustment (added in 1992)
- ▶ Requires publication of Annual Report on Protection and Augmentation of Water Supplies (PAWS)
- ▶ Requires public hearing
 - ▶ Surface, treated, & recycled water rates can be set separately
- ▶ Requires establishment of zones of benefit

District Act Defines Purposes for Groundwater Charges

1

Imported Water Facilities

2

Imported Water Purchases

3

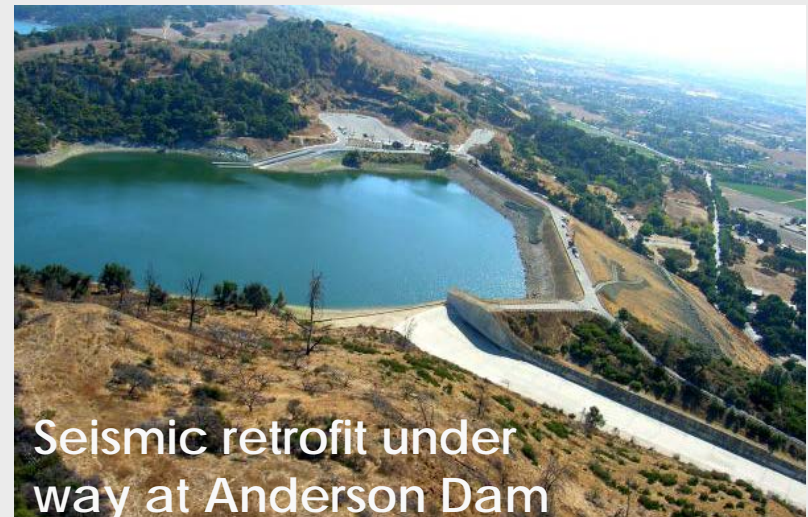
All Facilities which will “conserve or distribute water including facilities for groundwater recharge, surface distribution, and purification and treatment”

4

Debt

Many activities ensure safe, reliable groundwater supplies

- ▶ Operate & maintain local reservoirs
- ▶ Purchase imported water
- ▶ Operate & maintain raw, treated & recycled water pipelines
- ▶ Plan & construct improvements to infrastructure
- ▶ Monitor & protect groundwater from pollutants



The Surface Water Charge-setting Process is Consistent with Prop 218 Process for Water Service Charges

- ▶ Includes cost of service analysis by customer class
- ▶ Includes protest procedure as defined in Board Resolution 12-10

Historical Majority Protest Procedure Results

Fiscal Year	2013	2014	2015	2016	2017	2018
Surface Water						
North County	0%	0%	0%	0%	0%	0%
South County	0%	0%	0%	1.3%	0%	0%

Prop 218 not applicable to Groundwater Charge-setting Process

- ▶ Supreme Court found Prop 218 not applicable to groundwater charges
- ▶ Staff recommends rescinding Board Resolution 12-11, which would eliminate majority protest procedure
 - ▶ Prop 218 requirements like holding a public hearing, and noticing well owners are consistent with District Act, and would continue

Historical Majority Protest Procedure Results

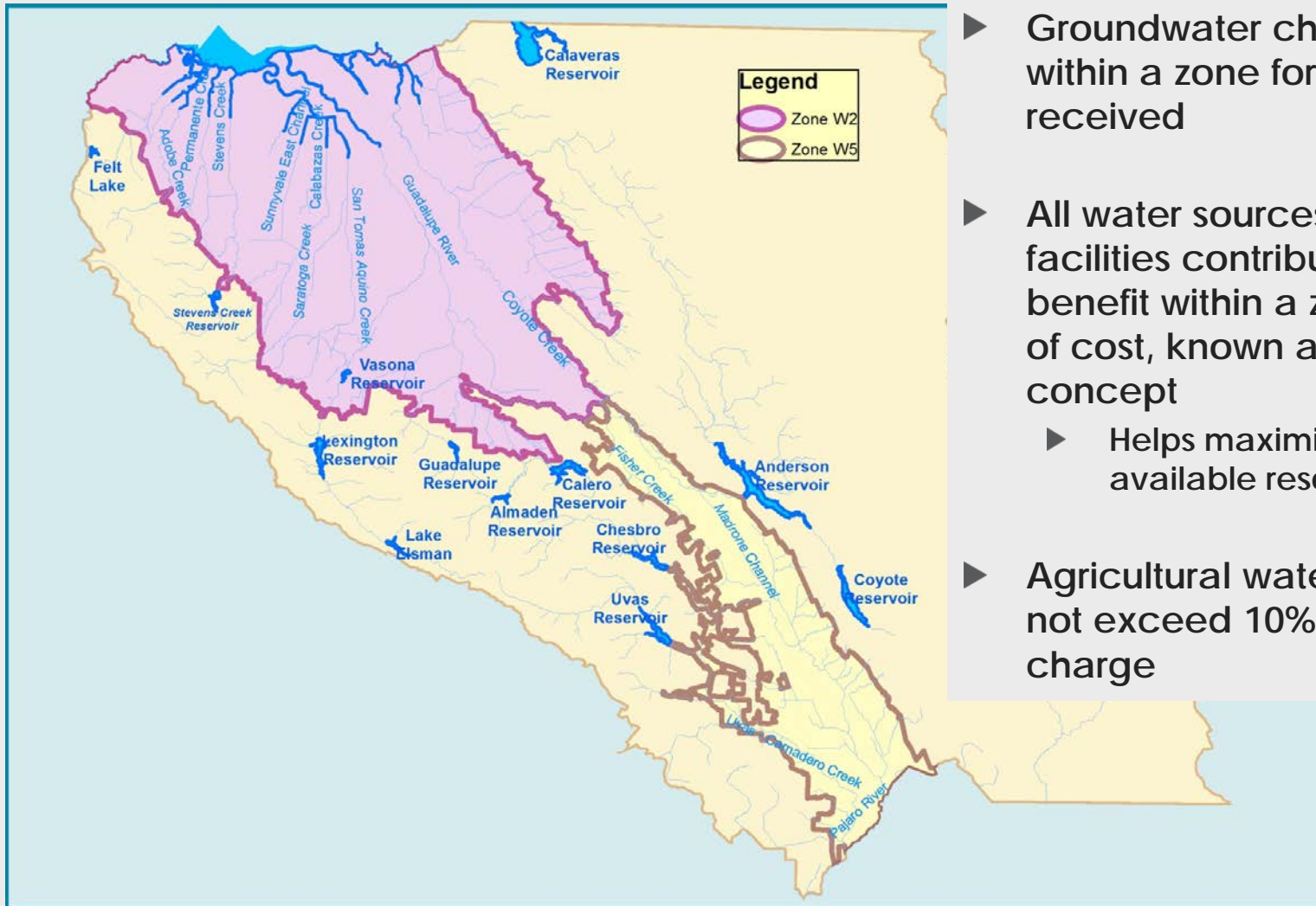
Fiscal Year	2013	2014	2015	2016	2017	2018
Groundwater						
North County	1.4%	1.3%	1.3%	1.2%	1.7%	1.7%
South County	0.8%	0.5%	0.4%	0.5%	0.3%	0.6%

The Groundwater charge-setting process is Consistent with Prop 26

- ▶ Supreme Court found Prop 26 is applicable to groundwater charges

- ▶ To qualify as a nontax fee under Prop 26, GW charge must satisfy both:
 1. GW charge established at amount that is no more than necessary to cover reasonable costs of government activity
 2. Manner in which costs are allocated to payor bear a fair or reasonable relationship to payor's burdens on, or benefits received from government activity

Resolution 99-21 is the Board's Pricing Policy



- ▶ Groundwater charges are levied within a zone for benefits received
- ▶ All water sources and water facilities contribute to common benefit within a zone regardless of cost, known as “pooling” concept
 - ▶ Helps maximize effective use of available resources
- ▶ Agricultural water charge shall not exceed 10% of M&I water charge

Zone of Benefit Study in progress

Groundwater Charge-Setting Approach

September

**Begin multi-year
financial
forecast prep**

Water Utility activities
must meet purpose
defined in District Act
Section 26.3

November/December

**Board provides
guidance for
upcoming rate
setting cycle**

January

**Preliminary Rate
Projection
Discussed with
Board**

Pricing based on
Resolution 99-21
to maximize use
of available
water resources

February

**Prepare Report
on Protection &
Augmentation of
Water Supplies
(PAWS)**

Includes Cost of Service
by customer class:

- Groundwater
- Treated Water
- Surface Water
- Recycled Water

April

**Majority protest
procedures and
public hearings**

Process detail
explained in Board
Resolutions 12-10
and 12-11

May

**Adoption of
Groundwater
and Other Water
Charges**

Infrastructure differences drive different groundwater production charges in each zone

North County

- 3 water treatment plants
- Reservoirs – Almaden, Calero, Guadalupe, Lexington, Stevens Creek, Vasona
- Silicon Valley Advanced Water Purification Center
- Imported Water – State Water Project

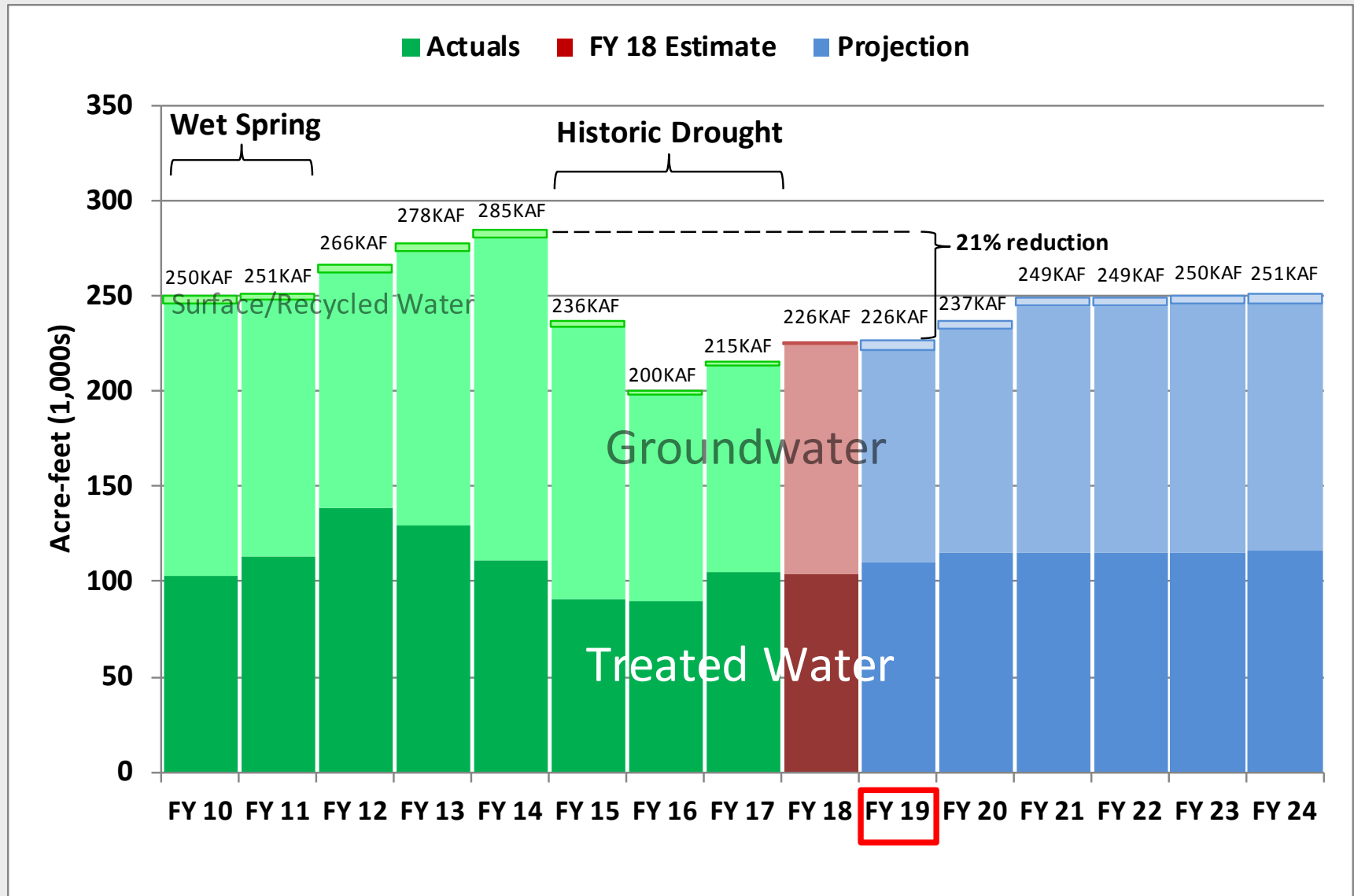
Shared

- Reservoirs – Anderson & Coyote
- Imported Water – Central Valley Project

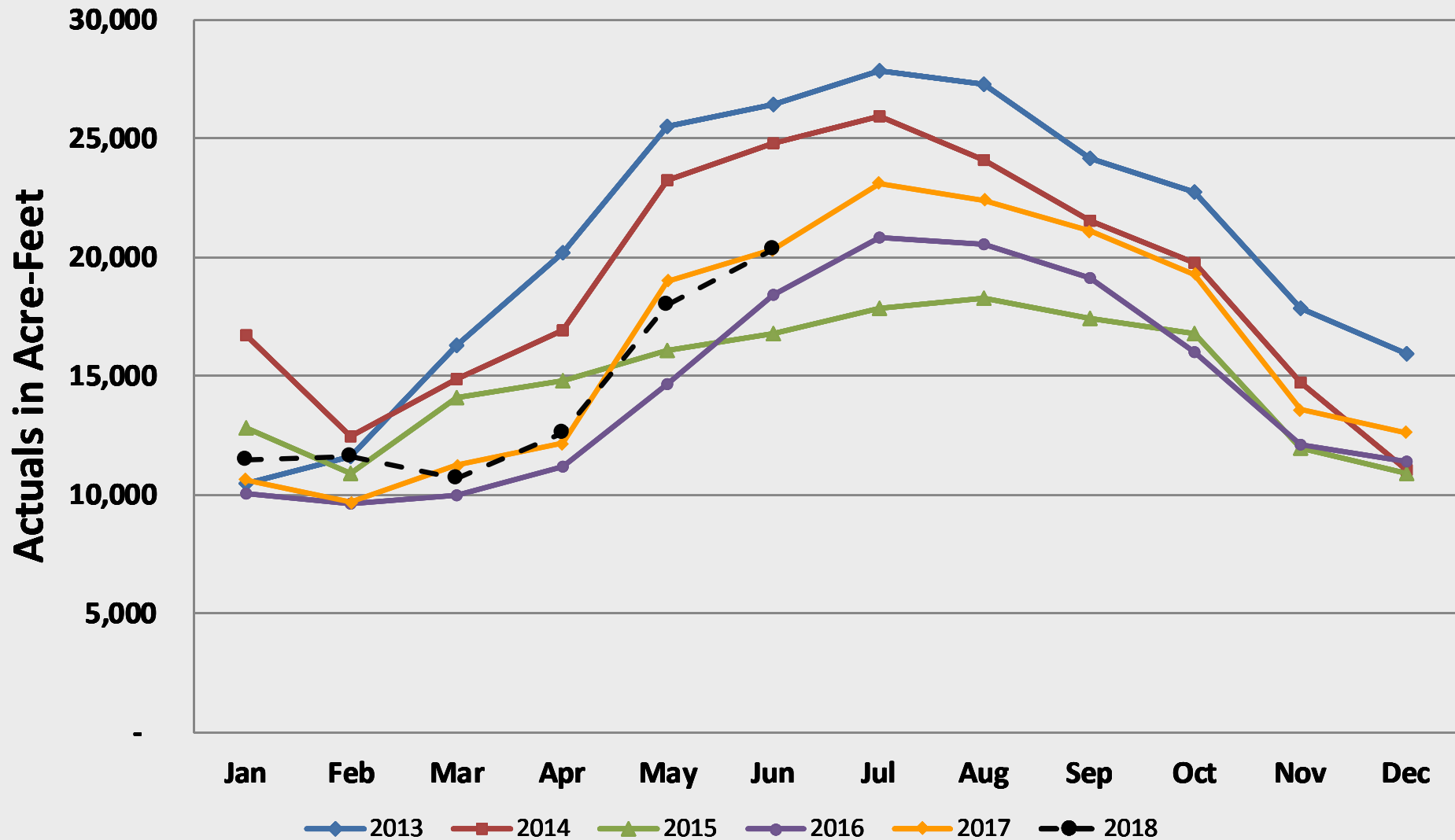
South County

- Reservoirs – Chesbro, Uvas
- SCRWA Recycled Water System

Water Usage (District Managed)



Historic Water Usage (Groundwater & Treated Water)

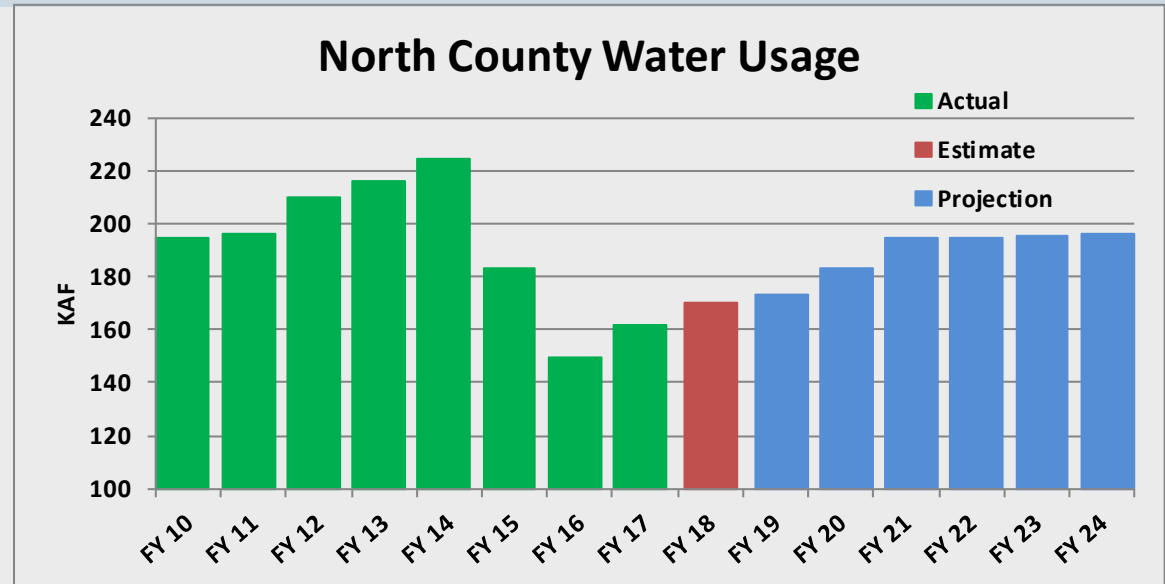


Note: Groundwater Actuals do not include semi-annual and annual billings

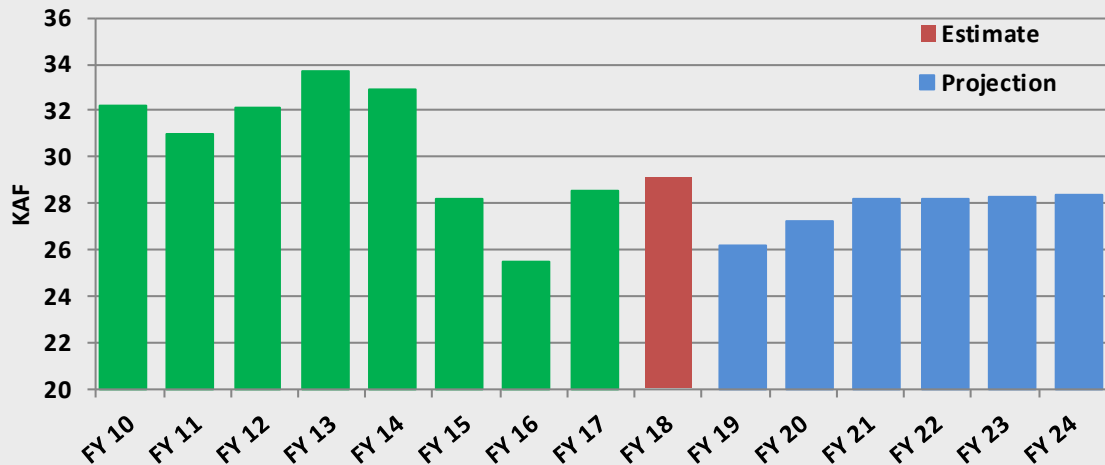
Water Usage Trend by Zone

North County Water Usage

Includes Groundwater, Treated Water, & Surface Water



South County M&I Water Usage



South County Water Usage

Includes Groundwater, Surface Water & Recycled Water

Water Usage (District Managed)

	FY14	FY 15	FY 16	FY 17	FY 18	FY 19	FY 20	FY 25	FY 30
Water Use (AF)	285	236	200	215	226	226	237	252	258
% Change vs FY 14		-17%	-30%	-25%	-21%	-21%	-17%	-12%	-9%
% Change Adjusted for Growth							-23%	-22%	-24%

Note: FY14 water use is equivalent to calendar year 2013, which is the District's base year for conservation comparison purposes

Forecasted water use maintains 20%+ reduction vs FY 14 when adjusted for projected population growth

Sound Financial Targets Keep Bond Ratings High

Key Targets:

- ▶ Debt service coverage ratio targeted at 2.0 or better to minimize borrowing cost and promote continued high credit ratings (Aa1 from Moody's and AA+ from Fitch)
- ▶ Discretionary Reserves (Operating & Capital + Supplemental Water Supply) targeted at minimum per policy

Fixed Charge Consideration

Background:

- ▶ Staff has been evaluating fixed charge concept in conjunction with SGMA authority
- ▶ Objective is improved revenue stability while maintaining revenue neutrality relative to current rate structure

Project Status:

- ▶ Majority of Water Retailers oppose fixed charge
 - ▶ Retailers see fixed charge as redundant relative to take-or-pay treated water contract
 - ▶ District already has ability to do mid-year increase
 - ▶ Fixed charge may complicate process for regulated retailers
- ▶ District challenges
 - ▶ Could fixed charge be implemented for large retailers only? (versus unmetered individual well owners for example)

Staff recommends suspending FY 20 implementation effort

Rate setting strategy for FY 20

Baseline Case Assumptions:

- Pacheco Reservoir Expansion (Non-Prop 1 portion funded by water charges)
- CWF CVP at 6.7% of 33% share
- CWF SWP at 2.5% of 67% share
- Purified Water Expansion (24KAF)
- Los Vaqueros (Bethany Pipeline)
- Guiding Principle #5

Scenarios:

- Pacheco Reservoir Expansion Funding Alternatives
- Sites, Los Vaqueros (in addition to Bethany Pipeline)
- Purified Water Expansion alternatives beyond 24KAF

2019 Schedule

Jan 7	Ag Water Advisory Committee
Jan 8	Board Meeting: Preliminary Groundwater Charge Analysis
Jan 16	Water Retailers Meeting: Preliminary Groundwater Charge Analysis
Jan 23	Water Commission Meeting: Prelim Groundwater Charge Analysis
Feb 12	Board Meeting: Budget development update & Set time & place of Public Hearing
Feb 22	Mail notice of public hearing and file PAWS report
Mar 20	Water Retailers Meeting: FY 19 Groundwater Charge Recommendation
Mar 26	Board Meeting: Budget development update
Apr 1	Ag Water Advisory Committee
Apr 2	Landscape Committee Meeting
Apr 9	Open Public Hearing
Apr 10	Water Commission Meeting
Apr TBD	Continue Public Hearing in South County
Apr 23	Conclude Public Hearing
Apr 24-26	Board Meeting: Budget work study session
May 14	Adopt budget & groundwater production and other water charges

Summary

- Anticipating increased retailer/public pushback during the FY 20 rate setting cycle

April 2018 annual percentage increase forecast (M&I Groundwater)

	FY 20	FY 21	FY 22	FY 23	FY 24	FY 25
North County	9.7%	9.7%	9.7%	9.7%	9.7%	9.7%
South County	7.7%	7.7%	7.7%	7.7%	7.7%	7.7%

- Staff seeking Board guidance on FY 20 rate setting cycle

RESOLUTION NO. 99- 21

ADOPTING "WATER UTILITY TAXING AND PRICING POLICY" AND
RESCINDING RESOLUTION NO. 96-82

WHEREAS, the Santa Clara Valley Water District (District) adopted a District mission, goals and objectives on February 19, 1985, in order to conduct a sound water management program that serves the community; and

WHEREAS, the District Act authorizes the District to enter into water sales contracts and to levy and collect taxes and assessments on property within the District and in the respective zones of the District and sets forth requirements for groundwater charges and rates between agricultural and nonagricultural water; and

WHEREAS, several Board resolutions, as identified in Exhibit "A," are related to the management of water resources and the implementation of this water taxing and pricing policy; and

WHEREAS, several changes which affect revenue sources and benefit distribution have occurred since adoption of Resolution No. 96-82. These changes include: (1) passage of Resolution Nos. 98-44 and 98-45 setting agricultural charges for groundwater and surface water at 10 percent of the nonagricultural charges; (2) revisions to the policy governing sale of noncontract water in 1998; (3) pending completion of an agreement to act as the wholesaler to deliver recycled water in South County.

BE IT RESOLVED, by the Board of Directors of the District as follows:

1. **The policy of the District in the areas of taxation and water pricing for water utility revenues shall be and is hereby adopted:**

Policy Statement

The intent of this water utility taxing and pricing policy is to provide revenue for the management of water resources and operation of the water utility enterprise. This policy establishes a framework for establishing a system of water charges as permitted by the District Act to meet revenue requirements and to allocate costs amongst the beneficiaries. The general approach is to charge the recipients of the various benefits for the benefits received from the District's comprehensive water utility program.

The consumptive and nonconsumptive benefits provided by District water supply facilities and operations are listed and described below:

- Provision of a water supply and effective management of water resources available to the community from a variety of sources of supply, transmission, and water treatment facilities operated by the District.
- Protection of water quality through the purification and treatment of water and the protection of water supplies.
- Stewardship of watersheds and riparian corridor.
- Administration of related programs and projects such as recycled water and water conservation administered solely by the District or in partnership with another organization.

Resolution Adopting "Water Utility Taxing and Pricing Policy" and Rescinding Resolution No. 96-82

- Ancillary flood protection.
- Recreation, such as fishing, boating, picnicking, hiking, and other related recreation activities.
- Support for the economic well being of the community.
- Protection of the community infrastructure from subsidence.

2. Policy Implementation

The following water taxing and pricing concepts and framework shall be implemented in order to provide for revenue in order to continue providing direct and ancillary benefits to the customers of the District and the community of Santa Clara County.

Water Taxing and Pricing Concepts

- **Water Pooling:** Water is considered to be a single commodity irrespective of the water's source or cost. It is a single commodity whether it is from water provided locally, imported, or recycled, and all users benefit from the availability of multiple sources of water.
- **Water Facilities Cost Pooling:** All water supply facilities contribute to the common benefit of effective water resources management. In general, the water charges and property taxes are based on the common benefits of the capital and operations outlays, rather than reference to named facilities, with the exception of the liability for bonded indebtedness which is applied to each zone of benefit.
- **Water Resources Management:** Water supplies are managed, through taxing and pricing, to obtain the effective utilization of the water resources of the District to the advantage of the present and future populations of the County. This concept provides for development of taxing and pricing structures that will achieve the effective use of available resources and conserve supplies for potential drought conditions.
- **Revenue Pooling:** For the most part, water utility revenues are collected in a common fund and not designated for a specific cost. Such revenues are available for the general capital and operating outlays of the water utility enterprise. Some revenues such as certain property taxes are specifically designated for debt service and the fixed costs of the State Water Project, and are not available to the common fund. Water charges are established to provide the revenues that are required in the common fund for general capital and operating outlays and that are over and above revenues from ad valorem taxes, interest, and miscellaneous sources. This provides flexibility in managing continuing operations and funding capital outlays.

Water Taxing and Pricing Framework

The following procedures are intended as a general framework to guide staff in the development of a water rate structure implementing this policy:

- **Zones of Benefit:** Zones of benefit are to be identified and established in accordance with the District Act. Groundwater charges and property taxes are levied for the benefits received by the water users and property owners benefitting from that zone. For each zone, a basic

Resolution Adopting "Water Utility Taxing and Pricing Policy" and Rescinding Resolution No. 96-82

water user charge is determined for current groundwater and raw surface water users to be applied to the quantities of water used or consumed.

- **Basic Water Charge Zones:** The objective of establishing various water charge zones is to recover costs for the benefits resulting from conservation, import, and recharge of water which occur only within that zone. Water charges are levied for water producing operations, such as groundwater pumping and raw surface water diversion. In addition, users may be subject to specific charges that meet special needs of a group of users, such as water master charges for surface water deliveries, a capital charge for equipment or facilities, and power costs for pumping.
- **Treated Water Surcharge:** A treated water surcharge shall be added to the basic water charge for the price of treated surface water delivered by the District. The charge is to be established at an amount that would promote the effective use of available water resources. The charge may differ between treatment plants to better manage regional variations in groundwater conditions.
- **Costs for Specific Benefits:** Whenever costs associated with specific benefits are clearly and easily measurable, those costs shall be charged to the beneficiaries, in accordance with their specific zones of benefit. Where there is a question as to the identity of the beneficiary or the method of measuring the benefit, the allocation of costs should remain flexible and be determined in accordance with accepted practices and sound judgements based on the four water pricing concepts. The District recognizes and supports the State Legislature's limitation imposed on the District that rates for agricultural water shall not exceed one-fourth of the rate for all water other than agricultural water. In order to encourage the continuance of agricultural use of land in the County, to encourage the preservation of open space, to defer intensification of users and to further support the limitation imposed by the State Legislature, it is the District's policy that rates for agricultural water shall not exceed one-tenth the rate for all water other than agricultural water.

Both water charges and property taxes are used to recover costs incurred for the benefit of current water users. The costs for future supply sources can be recovered using current revenues or through project specific long-term financing.

- **Balancing Costs:** The District recognizes that there may be imbalances between revenues and costs within a zone of benefit from year to year. The District will strive to achieve balance over the long-term in accordance with the District Act and to properly charge recipients for the benefits received.
- **Incentives:** Incentives in the form of subsidies may be provided in order to reduce the price of specific sources of water in order to optimize use of available or future water resources.
- **Recycled Water:** From time to time, the District may enter into agreements to provide wholesale delivery or other services related to recycled water. The District will strive to recover the costs of these facilities consistent with the pooling concepts outlined above, while adhering to the specifics of any agreement.

Resolution Adopting "Water Utility Taxing and Pricing Policy" and Rescinding Resolution No. 96-82

3. Executive and Staff Limitations

District staff are authorized to develop a water rate structure which meets the objectives set forth herein, in accordance with the District Act, and using the concepts set forth above. The District's rate structure is implemented only by resolutions approved by the Board of Directors.

Staff is authorized to recommend water charges for consideration by the Board in accordance with the District Act. Water charges, if any, shall be recommended by staff each year be at fixed and uniform rates for agricultural water and for all water other than agricultural water, respectively, except that each such rate for agricultural water shall be one-tenth of the rate for all water other than agricultural water. The Board has determined that agricultural use of lands is of value to the County and the state, and that agricultural lands provide an open space benefit. The Board's limiting staff to a recommendation of agricultural water rates below the maximum allowed by the District Act will benefit water users Countywide, and is necessary to carry out the policies of the State Legislature and the District Board of Directors.

Staff is authorized to prepare, for the Board's consideration, resolutions for the collection of property taxes as needed and authorized under applicable laws.

4. Previous Policy Rescinded

The "Water Taxing and Pricing Policy," adopted by Resolution No. 96-82, is hereby rescinded.

PASSED AND ADOPTED by the Board of Directors of Santa Clara Valley Water District on
March 16, 1999 by the following vote:

AYES: Directors Gross, Zlotnick, Judge, Kamei, Sanchez, Estremera, Wilson

NOES: Directors None

ABSENT: Directors None

SANTA CLARA VALLEY WATER DISTRICT

By: 
Chair/Board of Directors

ATTEST: LAUREN L. KELLER


Clerk/Board of Directors

RESOLUTION NO. 12- 10

A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE SANTA CLARA VALLEY WATER DISTRICT ADOPTING PROCEDURES
FOR THE IMPOSITION OF SURFACE WATER CHARGES

WHEREAS, pursuant to Section 4 of the District Act, the purposes of the District Act are to authorize the District to provide comprehensive water management for all beneficial uses within Santa Clara County; and

WHEREAS, Section 5(5) of the District Act authorizes District to do any and every lawful act necessary to be done that sufficient water may be available for beneficial uses within Santa Clara County; and

WHEREAS, Section 5(12) authorizes the District to make contracts and do all acts necessary for the full exercise of all powers vested in the District; and

WHEREAS, Proposition 218, adopted on November 6, 1996, added Articles XIIIC and XIID to the California Constitution which impose certain procedural and substantive requirements with respect to the imposition of certain new or increased fees and charges; and

WHEREAS, whether legally required or not, the District Board believes it to be in the best interest of the community to align its practices with respect to the imposition of surface water charges to mirror the majority protest requirements of Article XIII D, section 6 applicable to charges for water services to the extent possible; and

WHEREAS, the District Board believes it to be in the best interest of the community to record its decisions regarding implementation of the provisions relating to imposition of surface water charges and to provide the community with a guide to those decisions and how they have been made; and

NOW, THEREFORE, the Board of Directors of Santa Clara Valley Water District does hereby resolve as follows:

SECTION 1. Statement of Legislative Intent. It is the Board of Directors' intent in adopting this resolution, to adopt the notice, hearing, and majority protest procedure proceedings that are consistent, and in conformance with, Articles XIIIC and XIID of the California Constitution and with the Proposition 218 Omnibus Implementation Act and the provisions of other statutes authorizing imposition of surface water charges. To the extent that these requirements are legally required to supercede the requirements set forth in the District Act, these provisions are intended to prevail.

SECTION 2. Definitions.

- A. Record Owner.** The District will provide the required notice to the Record Owner. "Record Owner" means the record owner of the property on which the surface water use-facility is present, and the tenant(s) who are District surface water permittees liable for the payment of the surface water charge.

A Resolution of the Board of Directors of the Santa Clara Valley Water District Adopting
Procedures for the Imposition of Surface Water Charges

- B. Charge Zone.** "Charge Zone" means the District zone (i.e. Zone W-2 or Zone W-5) that a surface water user's turnout is located, which is applicable in identifying the proposed surface water charge. Surface water users that receive surface water outside of either Zone W-2 or Zone W-5 are deemed to be located in the zone to which the surface water user's turnout is most nearly located.

SECTION 3. Surface Water Charge Proceeding. The following procedures will be used:

- A. Those Subject to the charge.** The Record Owners of the existing surface use-facilities.
- B. Amount of Charge.** A formula or schedule of charges by which the customer can easily calculate the potential surface water charge will be included in the notice. The surface water charge is comprised of a basic user charge and a surface water master charge. The surface water charge must comply with the following substantive requirements:
1. Revenues derived from the surface water charge will not be used for any purpose other than that for which the charge is imposed.
 2. Revenues derived from the surface water charge will not exceed the direct and indirect costs required to provide the service.
 3. The amount of the surface water charge must not exceed the proportional cost of the service attributable to the property.
 4. No charge may be imposed for a service unless the service is actually used by, or immediately available to the property owner (or, if applicable, the tenant).
 5. No charge can be imposed for general governmental services where the service is available to the public at large in substantially the same manner as it is to property owners.
- C. Notice.** The following guidelines apply to giving notice of the surface water charge.
1. Record Owner(s) of each parcel subject to the surface water charge, meaning any parcel with a surface water use-facility, will be determined from the last equalized property tax roll. If the property tax roll indicates more than one owner, each owner will be sent the notice. District surface water permittees liable for the payment of the surface water charge will also be provided with the notice.
 2. The notice must be sent at least forty-five (45) days prior to the date set for the public hearing on the surface water charge.
 3. Failure of any person to receive the notice will not invalidate the proceedings.

A Resolution of the Board of Directors of the Santa Clara Valley Water District Adopting
Procedures for the Imposition of Surface Water Charges

D. Surface Water Charge Protest. The following guidelines apply to the surface water charge protest procedure:

1. The notice will be mailed to all affected Record Owners at least forty-five (45) days prior to the date of the public hearing on the proposed surface water charge.
2. Written protests must be forwarded to the Clerk of the Board by mail or in person, sealed in an envelope which conceals the contents, with the property address or APN written on the outside of the envelope. To be counted, protests must be received no later than the date for return of protests stated on the notice, or the close of the public hearing, whichever is later.
3. A protest must be signed under penalty of perjury. For properties with more than one Record Owner, a protest from any one surface water user-facility will count as a protest for the property. No more than one protest will be counted for any given property.
4. Only protests with original signatures will be accepted. Photocopied signatures will not be accepted. Protests will not be accepted via e-mail. Protests must be submitted in sealed envelopes identifying the property on which the surface water user-facility is located, and include the legibly printed name of the signator. Protests not submitted as required by this Resolution will not be counted.
5. This proceeding is not an election.
6. Written Protests must remain sealed until the tabulation of protests commences at the conclusion of the public hearing. A written protest may be submitted or changed by the person who submitted the protest prior to the conclusion of the public testimony on the proposed charge at the public hearing.
7. Prior to the public hearing, neither the protest nor the envelope in which it is submitted will be treated as a public record, pursuant to the Government Code section 6254(c) and any other applicable law, in order to prevent potential unwarranted invasions of the submitter's privacy and to protect the integrity of the protest process.

E. Tabulating Protests. The following guidelines apply to tabulating protests:

1. It will be the responsibility of the Clerk of the Board to determine the validity of all protests. The Clerk will accept as valid all protests except those in the following categories:
 - a. A photocopy which does not contain an original signature;
 - b. An unsigned protest;
 - c. A protest without a legible printed name;
 - d. A protest which appears to be tampered with or otherwise invalid based upon its appearance or method of delivery or other circumstances;

A Resolution of the Board of Directors of the Santa Clara Valley Water District Adopting
Procedures for the Imposition of Surface Water Charges

- e. A protest submitted to the District via e-mail;
- f. A protest submitted in an envelope that does not have the address or APN written on the outside of the envelope;
- g. A protest signed by someone other than the Record Owner for the APN.

The Clerk's decision, after consultation with the District Counsel, that a protest is invalid is final.

- 2. An impartial person, designated by the governing board, who does not have a vested interest in the outcome of the proposed charge will tabulate the written protests submitted, and not withdrawn. The impartial person may be a member of the Clerk of the Board Office.
- 3. A Record Owner who has submitted a protest may withdraw that protest at any time up until the conclusion of the final public hearing on the surface water charge.
- 4. A property owner's failure to receive notice of the surface water charge will not invalidate the proceedings conducted under this procedure.

F. Public Hearing.

- 1. At the public hearing, the District Board will hear and consider all public testimony regarding the proposed surface water charge and accept written protests until the close of the public hearing, which hearing may be continued from time to time.
- 2. The District Board may impose reasonable time limits on both the length of the entire hearing and the length of each speaker's testimony.
- 3. At the conclusion of the hearing, the Clerk of the Board, or other neutral person designated to do the tabulation will complete tabulation of the protests from Record Owners, including those received during public hearing.
- 4. If it is not possible to tabulate the protests on the same day as the public hearing, or if additional time is necessary for public testimony, the District Board may continue the public hearing to a later date to receive additional testimony, information or to finish tabulating the protests; or may close the public hearing and continue the item to a future meeting to finish tabulating the protests.
- 5. If according to the final tabulation of the protests from Record Owners, the number of protests submitted against the proposed surface water charge (or increase of the surface water charge) within a Charge Zone exceeds 50% plus one of either: (i) the identified number of parcels within that Charge Zone, or (ii) the identified number of owners and tenants who are subject to the surface water charge within that Charge Zone, then a "majority protest" exists and the District Board of Directors will not impose the surface water charge within that Charge Zone.

A Resolution of the Board of Directors of the Santa Clara Valley Water District Adopting
Procedures for the Imposition of Surface Water Charges

PASSED AND ADOPTED by the Board of Directors of Santa Clara Valley Water District by the
following vote on February 14, 2012.

AYES: Directors T. Estremera, D. Gage, J. Judge, P. Kwok, R. Santos, B. Schmidt,
L. LeZotte
NOES: Directors None
ABSENT: Directors None
ABSTAIN: Directors None

SANTA CLARA VALLEY WATER DISTRICT

By:


LINDA J. LEZOTTE
Chair/Board of Directors

ATTEST: MICHELE L. KING, CMC


Clerk/Board of Directors

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RESOLUTION NO.12- 11

AN AMENDED AND RESTATED RESOLUTION OF THE BOARD OF DIRECTORS OF
THE SANTA CLARA VALLEY WATER DISTRICT ADOPTING PROCEDURES
FOR THE IMPOSITION OF GROUNDWATER PRODUCTION CHARGES

WHEREAS, Section 26 of the District Act includes provisions relating to imposition and notice and opportunity to be heard on the imposition of groundwater production charges, including the opportunity to contest the imposition; and

WHEREAS, Section 26 of the District Act provides the purposes for which groundwater production charges can be collected as follows:

1. To pay for construction, operation and maintenance of imported water facilities;
2. To pay for imported water purchases;
3. To pay for construction, operation and maintenance of facilities to conserve or distribute water including facilities for groundwater recharge, surface distribution, and purification and treatment of water;
4. To pay for debt incurred for the above purposes.

WHEREAS, Proposition 218, adopted on November 6, 1996, added Articles XIIIC and XIID to the California Constitution which impose certain procedural and substantive requirements with respect to the imposition of certain new or increased fees and charges; and

WHEREAS, whether the District's groundwater production charge is assessed upon a parcel of property or upon a person as an incident of property ownership such that it is subject to proposition 218 is a subject currently before the courts and has not yet been finally decided; and

WHEREAS, regardless of whether the District is legally required to or not, the District Board believes it to be in the best interest of the community to align its practices with respect to the imposition of groundwater production charges to mirror the majority protest requirements of Article XIII D section 6 applicable to charges for water to the extent possible; and

WHEREAS, some of the requirements of the majority protest procedure are unclear and require further judicial interpretation or legislative implementation; and WHEREAS, the District Board believes it to be in the best interest of the community to record its decisions regarding implementation of the provisions relating to imposition of groundwater production charges and to provide the community with a guide to those decisions and how they have been made;

NOW, THEREFORE, the Board of Directors of Santa Clara Valley Water District does hereby resolve as follows:

SECTION 1. Statement of Legislative Intent. It is the Board of Director's intent in adopting this amended and restated resolution, to adopt the notice, hearing, and majority protest procedure proceedings that are consistent, and in conformance with, Articles XIIIC and XIID of the California Constitution and with the Proposition 218 Omnibus Implementation Act and the provisions of other statutes authorizing imposition of water charges. To the extent that these requirements are legally required to supercede the requirements set forth in the District Act, these provisions are intended to prevail.

An Amended and Restated Resolution of the Board of Directors of the Santa Clara Valley Water District Adopting Procedures for the Imposition of Groundwater Production Charges

SECTION 2. Definition of Record Owner. The District Act authorizes the groundwater production charge to be noticed and imposed on "owners or operators of water-producing facilities" which is not based on property ownership, while Article XIII D requires that notice be provided to the owner of a parcel whose name and address appears on the last equalized secured property tax assessment roll. In order to resolve the differences between these two approaches, the District will provide the required notice to the record owner of the property on which the water-producing facility is present, as well as to the owners or operators of water producing facilities (who are tenants of that real property directly liable to pay the groundwater production charge to the District).

SECTION 3. Groundwater Production Charge Proceeding. The following procedures will be used:

- A. Those Subject to the charge.** The Record Owners of existing water producing wells including water supply and extraction/environmental wells, whether currently active or not.
- B. Amount of Charge.** A formula or schedule of charges by which the customer can easily calculate the potential charge will be included in the notice. The charge must comply with the following substantive requirements:
 - 1. Revenues derived from the charge will not be used for any purpose other than that for which the charge is imposed.
 - 2. Revenues derived from the charge will not exceed the direct and indirect costs required to provide the service.
 - 3. The amount of the charge must not exceed the proportional cost of the service attributable to the property.
 - 4. No charge may be imposed for a service unless the service is actually used by, or immediately available to the owner.
 - 5. No charge can be imposed for general governmental services where the service is available to the public at large in substantially the same manner as it is to property owners.
- C. Notice.** The following guidelines apply to giving notice of the groundwater production charge.
 - 1. The record owner(s) of each parcel subject to the charge, meaning any parcel with a water-producing facility, will be determined from the last equalized property tax roll. If the property tax roll indicates more than one owner, each owner will be sent the notice. Where tenants are directly liable to pay the groundwater production charge to the District, they will also be provided with the notice.

An Amended and Restated Resolution of the Board of Directors of the Santa Clara Valley Water District Adopting Procedures for the Imposition of Groundwater Production Charges

2. The notice must be sent at least forty-five (45) days prior to the date set for the public hearing on the charge.
3. Failure of any person to receive notice will not invalidate the proceedings.

D. Groundwater Production Charge Protest. The following guidelines apply to the protest procedure:

1. The notice will be mailed to all affected Record Owners at least forty-five (45) days prior to the date of the public hearing on the proposed charge.
2. Written protests must be forwarded to the Clerk of the Board by mail or in person, sealed in an envelope which conceals the contents, with the property address or APN written on the outside of the envelope. To be counted, protests must be received no later than the date for return of protests stated on the notice, or the close of the public hearing, whichever is later.
3. A protest must be signed under penalty of perjury. For properties with more than one Record Owner, a protest from any one will count as a protest for the property. No more than one protest will be counted for any given property.
4. Only protests with original signatures will be accepted. Photocopied signatures will not be accepted. Protests will not be accepted via e-mail. Protests must be submitted in sealed envelopes identifying the property on which the well is located, and include the legibly printed name of the signator. Protests not submitted as required by this amended and restated resolution will not be counted.
5. This proceeding is not an election.
6. Written Protests must remain sealed until the tabulation of protests commences at the conclusion of the public hearing. A written protest may be submitted, or changed, or withdrawn by the person who submitted the protest prior to the conclusion of the public testimony on the proposed charge at the public hearing.
7. Prior to the public hearing, neither the protest nor the envelope in which it is submitted will be treated as a public record, pursuant to the Government Code section 6254(c) and any other applicable law, in order to prevent potential unwarranted invasions of the submitter's privacy and to protect the integrity of the protest process.

E. Tabulating Protests. The following guidelines apply to tabulating protests:

1. It will be the responsibility of the Clerk of the Board to determine the validity of all protests. The Clerk will accept as valid all protests except those in the following categories:
 - a. A photocopy which does not contain an original signature;
 - b. An unsigned protest;

An Amended and Restated Resolution of the Board of Directors of the Santa Clara Valley Water District Adopting Procedures for the Imposition of Groundwater Production Charges

- c. A protest without a legible printed name;
- d. A protest which appears to be tampered with or otherwise invalid based upon its appearance or method of delivery or other circumstances;
- e. A protest submitted to the District via e-mail;
- f. A protest submitted in an envelope that does not have the address or APN written on the outside of the envelope;
- g. A protest signed by someone other than the Record Owner for the APN.

The Clerk's decision, after consultation with the District Counsel, that a protest is invalid is final.

- 2. An impartial person, designated by the governing board, who does not have a vested interest in the outcome of the proposed charge will tabulate the written protests submitted, and not withdrawn. The impartial person may be a member of the Clerk of the Board Office.
- 3. A Record Owner who has submitted a protest may withdraw the protest at any time up until the conclusion of the final public hearing on the charge.
- 4. A property owner's failure to receive notice of the charge will not invalidate the proceedings conducted under this procedure.

F. Public Hearing

- 1. At the public hearing, the District Board will hear and consider all public testimony regarding the proposed charge and accept written protests until the close of the public hearing, which hearing may be continued from time to time.
- 2. The District Board may impose reasonable time limits on both the length of the entire hearing and the length of each speaker's testimony.
- 3. At the conclusion of the hearing, the Clerk of the Board, or other neutral person designated to do the tabulation will complete tabulation of the protests from Record Owners, including those received during public hearing.
- 4. If it is not possible to tabulate the protests on the same day as the public hearing, or if additional time is necessary for public testimony, the District Board may continue the public hearing to a later date to receive additional testimony, information or to finish tabulating the protests; or may close the public hearing and continue the item to a future meeting to finish tabulating the protests.
- 5. If according to the final tabulation of the protests from Record Owners, the number of protests submitted against the proposed increase of the groundwater production charge within a groundwater production charge zone exceeds 50% plus one of either: (a) the identified number of parcels within that groundwater production charge zone, or (b) the identified number of owners and operators within that groundwater production charge zone who are subject to the increased groundwater production charge, then a "majority protest" exists and the District

Resolution 12-11

An Amended and Restated Resolution of the Board of Directors of the Santa Clara Valley Water District Adopting Procedures for the Imposition of Groundwater Production Charges

Board of Directors will not impose any increase to the groundwater production charge within that groundwater production charge zone.

SECTION 4

Resolution No.11-03 adopted by the District on January 25, 2011 and Resolution No. 10-06 adopted by the District on January 26, 2010 are both hereby amended and restated in their entirety as set forth in this amended and restated resolution. This amended and restated resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Board of Directors of Santa Clara Valley Water District by the following vote on February 14, 2012.

AYES: Directors T. Estremera, D. Gage, J. Judge, P. Kwok, R. Santos, B. Schmidt,
L. LeZotte
NOES: Directors None
ABSENT: Directors None
ABSTAIN: Directors None

SANTA CLARA VALLEY WATER DISTRICT

By: 

LINDA J. LEZOTTE
Chair/Board of Directors

ATTEST: MICHELE L. KING, CMC


Clerk/Board of Directors

File No.: 18-0960

Agenda Date: 11/27/2018

Item No.: 6.1.

BOARD AGENDA MEMORANDUM

SUBJECT:

Proposed Pilot Project for Using Unmanned Aerial Vehicles in Land Surveying and Mapping Activities (County-wide).

RECOMMENDATION:

Authorize staff to implement a 6-month pilot project for using Unmanned Aerial Vehicles in land surveying and mapping activities.

SUMMARY:

At the Board meeting on December 19, 2017, the Board directed staff to develop a pilot project for using UAV in land surveying and mapping activities for the Board consideration. In developing the pilot project, staff outreached to the community and other agencies regarding the use of UAV in land surveying and mapping activities.

The technology of UAV (Unmanned Aerial Vehicles) has advanced to the point that UAVs can provide cost effective survey grade data along with many other less precise and less accurate uses. UAVs can provide high resolution photographic and video documentation for various District needs such as locating trash accumulations in creeks, assisting inspection of building rooftops, collecting information for facility inspection and construction site inspection, collecting field information for documentation or reporting, assisting in post-event monitoring of facilities, and providing survey grade mapping and photogrammetry.

There are three key issues concerning UAV use at the District. First, the use of UAVs is regulated by the Federal Aviation Administration (FAA), and the State of California, county, special districts, or cities may also have restrictions on the use of UAVs. Second, there are community concerns about invasion of privacy related to the use of UAVs. And last, is how the use of UAVs can be established and managed effectively at the District.

Scope of UAV Pilot Program

The pilot project will be administered and implemented by the Land Surveying and Mapping Unit (LSMU) for District land surveying and mapping activities. This will allow complete control of all UAV and their assigned uses, while monitoring the activities and benefits/impacts of use to the District and public. This will also ensure that only staff authorized to pilot UAV are overseeing the activities.

The pilot project will follow all rules and regulations of the FAA Part 107 Commercial. This regulation is for all UAV under 55 pounds and requires:

1. All Remote Pilots to be licensed by the FAA. LSMU currently has 4 licensed pilots on staff; and
2. Insurance - Coverage under our current provider for each registered aircraft. The District will obtain the necessary liability coverage to protect the district, public and aircraft.

District staff has reached out to the public by placing advertisements in the San Jose Mercury News (on August 21, 2018) and the Metro Silicon Valley publications (on August 22, 2018) (Attachment 1) to solicit feedback concerning the proposed use of UAV for district work. Staff received 6 responses concerning the program. There were not any concerns for use of the program. The only feedback was from people asking to be considered for contract work or employment opportunities in the UAV program. District staff also reached out to the San Mateo County Sheriff's Department to discuss their successful UAV program. Other agencies were also consulted, such as the Department of Water Resources, United States Geological Survey, Metropolitan Water District, City of Los Angeles Bureau of Engineering, Oak Ridge National Laboratory, and Brown and Caldwell Infrastructure Monitoring and Assessment. Staff learned that with the proper protocols in safety, monitoring and outreach that UAV are becoming a valuable and crucial tool for providing information to agencies.

UAV operators and observers, by following FAA Part 107, ensure the protection of private individuals' expectations of privacy before and during deployment of the UAV. UAV operators and observers ensure that operations of the UAV intrude to a minimal extent upon the private property, persons and businesses. This will be accomplished by thorough documentation of all UAV deployments, including location and time of flight, pre-and post-flight evaluation, maintenance logs, and public interaction logs.

Staff has developed a Flight Operations Manual that clearly defines all aspects of the pilot project. This manual has been prepared primarily following the manual of the City of Los Angeles, Bureau of Engineering, with many procedures adopted from Oak Ridge National Laboratory "Best Practices for Unmanned Aerial Systems" February 2017, American Civil Liberties Union (ACLU) "Protecting Privacy from Aerial Surveillance (recommendations for Government Use of Drone Aircraft) December 2011", National Telecommunications and Information Administration (NTIA) "Voluntary Best Practices for UAS Privacy, Transparency and Accountability" and the Oak Ridge National Laboratory "Best Practices for the Use of Unmanned Aerial Systems... February 2015", FAA Remote Pilot - Small Unmanned Aircraft Systems Study Guide" August 2016, Ruppert Law P.A. "Part 107 Study Guide" December 2016 as well as many other sources. (See reference index Section 12).

The pilot project will be managed by LSMU and track various aspects for evaluation.

LSMU will offer services using UAV for the following:

1. Survey / Mapping

- a. Land Surveying and Mapping
- b. Engineering and Design
- c. Construction and O&M Inspection
- d. Vegetation Management
- e. Community Projects Review

2. Photographic

- a. Health and Safety
- b. Security
- c. Facilities Maintenance
- d. Utility Maintenance Pipelines
- e. Dam Safety
- f. Public Information Office
- g. Water Revenue
- h. District events

Schedule

- 1. Pilot project can start within 2 weeks from approval with purchase of 2 UAVs at a cost of \$1,500 each.
- 2. Pilot project will be implemented for 6 months for evaluation
 - a. Cost benefit of UAVs versus conventional photogrammetry
 - b. Time savings analysis
 - c. Policy and Procedure development
 - i. Site Assessment Document
 - ii. Pre- and Post-Flight Checklist

iii. Maintenance Log

iv. Flight Log for District/Public responsibility questions

3. A report of the pilot project evaluation to completed within 60 days of completion of pilot project and submitted to the Board for review with staff recommendations on next steps.

Estimated Cost

Startup costs will be less than \$5,000 for the purchase of two UAV and accessories. LSMU already owns the software for processing data into deliverables. Insurance coverage is estimated to cost approximately \$7,000 per 6 months. There will be no costs for training staff because LSMU has 4 licensed Remote Pilots on staff.

FINANCIAL IMPACT:

There is adequate funding in Project No. 00074036 Survey Management and Technical Support for the development of the pilot project to fund the estimated cost of \$12,000 to implement the pilot project.

CEQA:

The recommended action is a ministerial action and thus is not subject to the requirements of CEQA.

ATTACHMENTS:

Attachment 1: Public Notice

Attachment 2: PowerPoint

UNCLASSIFIED MANAGER:

Ngoc Nguyen, 408-630-2632

Unmanned Aerial Vehicles (AKA drone) pilot program

The Santa Clara Valley Water District is proposing to implement a pilot project to utilize Unmanned Aerial Vehicles (otherwise known as “drones”) in land surveying and mapping activities of locations within Santa Clara County. The district has many potential uses of drones including inspecting our construction sites and designing flood protection projects. Over the last few years, drone technology has become more cost effective than the traditional use of piloted aircraft. Because drones fly at lower altitudes than airplanes, the images and data produced can be more precise.

The Federal Aviation Administration regulates the operation of drones for non-hobbyists. These regulations ensure that commercial drone operators (or pilots) are trained and certified and that they follow strict safety requirements. The water district has certified drone pilots who will fly our drones during the pilot project.

After the proposed pilot project is concluded, district staff will evaluate its effectiveness to determine if the program should continue. More information on the pilot program, including examples of how we would use drones, is available at **www.valleywater.org/learning-center/aerial-drone-pilot-program**.

How can I provide input on this?

We welcome your input. Please send your comments or questions to Land Surveying and Mapping Unit Manager Kris Puthoff at **kputhoff@valleywater.org** or (408) 630-3718.

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SCVWD UAV Pilot Project



Managed by the
Land Surveying and Mapping Unit
(367)

Timeline

- Initial Request to SCVWD Board December 2017
- Research January – July 2018
- Preparation of Draft Policies & Procedures July – October 2018
- Public Comment Period September – October 2018
- **Request for Board Approval November 2018**
- Purchasing & Training December 2018
- Pilot Project Operations January – June 2019
- Reporting of Results to SCVWD Board July – August 2019

Aerial drone pilot program

The Santa Clara Valley Water District is proposing to implement a pilot project to use drones in land surveying and mapping activities in locations within Santa Clara County. Also known as "Unmanned Aerial Vehicles," drone technology is more cost effective than the traditional use of piloted aircraft. Because drones fly at lower altitudes than airplanes, the images and data produced can be more precise.

The Federal Aviation Administration regulates the operation of drones for non-hobbyists. These regulations ensure that commercial drone operators (or pilots) are trained and certified and that they follow strict safety requirements. The water district has certified drone pilots who will fly our drones for the project.

After the proposed pilot project is concluded, district staff will evaluate its effectiveness to determine if the program should continue.



Rules and Regulations



- This 6-month pilot project shall follow all Rules and Regulations of the Federal Aviation Administration (FAA) Part 107 Commercial including:
 - Remote Pilot Certification
 - LSMU currently has 4 Part 107 certified pilots on staff
 - Registration
 - All aircraft shall be registered with the FAA. The Tail Number shall be visible on the UAV
 - Insurance
 - Coverage shall be provided by the current District insurance carrier
 - Special Considerations per FAA
 - 400 foot maximum flight height above ground level
 - No operation within 5 miles of an airport without Waiver or Certificate of Authorization

LSMU will offer services using UAVs for:

- Surveying and Mapping
 - Land Surveying and Mapping
 - Engineering and Design
 - Construction and O&M Inspection
 - Vegetation Management
 - Community Projects Review
 - Capital Program Planning
 - Real Estate Services
- Photographic
 - Environmental Health and Safety
 - Emergency Services & Security
 - Facilities Maintenance
 - Utility Maintenance Pipelines
 - Dam Safety
 - Public Safety
 - External Affairs
 - Water Revenue
 - Asset Management

Pilot Project Schedule

- Start within 2 weeks of Board approval with purchase of 2 UAVs
- 6 months for Program Evaluation
 - Cost benefit of UAVs
 - Time savings analysis
 - Policy and Procedure development
 - Site Assessment Document
 - Pre- and Post-Flight Checklist
 - Maintenance Log
 - Flight Log for District/Public responsibility questions
- An evaluation report to be completed within 60 days of completion of pilot project and submitted to the Board for review with staff recommendations on next steps.

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File No.: 18-0879

Agenda Date: 11/27/2018

Item No.: 7.1.

BOARD AGENDA MEMORANDUM

SUBJECT:

Update on the Programs and Activities of the Office of Civic Engagement.

RECOMMENDATION:

Receive information and updates on the programs and activities of the Office of Civic Engagement.

SUMMARY:

Staff is providing the Board with the annual update for the Office of Civic Engagement. The first report of the unit was provided to the Board on December 12, 2017. This report covers the period from January 1, 2018 through October 2018.

The Office of Civic Engagement continues to manage three program areas:

- Community Benefits
- Water Education & Volunteer
- Santa Clara Valley Water District Youth Commission

All programs are designed to engage, inform and educate the community through partnerships and collaborations in support of the District's goals and mission.

Community Benefits Program:

The Community Benefits Program is responsible for the management and oversight of the following programs: Safe, Clean Water and Natural Flood Protection (Safe, Clean Water) Grants & Partnerships, Creek Stewardship, and Public Arts & Signage.

Safe, Clean Water Grants & Partnerships Program is responsible for reinvesting over \$30 million dollars in funding back into the community through grants & partnerships. Funds are used to support projects in the areas of water conservation, pollution prevention, volunteer outreach and education, wildlife habitat restoration, and trails and open space.

From January through October 2018, staff released five grant programs facilitating the District's investment of \$697,000 in 7 projects for Pollution Prevention; \$429,000 in 10 projects to Support of

Volunteer Cleanup Efforts and Education; \$1,673,056 in support of 7 projects to Restore Wildlife Habitat and Access to Trails and Open Space; and \$105,976 in mini-grant support to 22 projects that engage the community on environmental stewardship through our various watersheds, removing invasive species, restoring native gardens, and supporting the habitat of native birds.

The **Creek Stewardship Program** provides opportunities for the community to engage in creek stewardship activities, such as volunteering for the annual National River Cleanup Day or Coastal Cleanup Day events and through participation in the Adopt-A-Creek Program, which allows the community to adopt sections of creeks on District property and commit to cleaning them at least twice-a-year to help reduce trash, debris, and other pollutants in waterways.

In 2018, Creek Stewardship continued to engage the public in environmental stewardship by mobilizing more than 3,500 volunteers and removing more than 114,000 lbs. of debris from creeks and waterways. The Adopt-A-Creek Program currently has 150 partners, including individuals, businesses, nonprofit organizations, schools and elected officials.

The **Public Arts & Signage Program** provides the District the opportunity to be visible throughout the community and inform the public about important messages, such as public safety, stewardship, or identifying marker for key facilities. Staff conducted a District-wide sign inventory that identified more than 1,000 signs on District property. The inventory identified the locations of all signs, and determined the condition and relevancy of each sign. Staff will use this information to develop a sign management system for the District, which includes ongoing monitoring, maintenance, and tracking of the signs.

Staff is in the process of launching a public arts project, *Adopt-A-Bench*, which seeks to revitalize the interpretive benches by allowing the public to “adopt” a bench and propose and design artwork on the bench. Staff is continuing to research and gather information to build out the components of the arts program. Staff is reaching out to all the cities in the county to understand the procedures for commissioning public arts within each respective jurisdiction.

Staff anticipates additional funding needs this year to support the costs associated with the replacement and or repair of signs and to support the public arts projects. The total funding needed for this year is still being determined. Staff is looking at potential cost-savings from other programs, as well as a possible budget adjustment later in the year.

Water Education & Volunteer Program:

The Water Education and Volunteer Program is responsible for the management and oversight of the District Volunteer Project, Water Education Outreach, and Recycled Water Outreach.

The year-round **District Volunteer Project** seeks to provide meaningful volunteer opportunities for residents to get directly involved with District programs and projects year-round and engage in ways that fosters deeper environmental stewardship.

This year, staff launched a new online volunteer management system, VolunteerHub to register and track prospective volunteers. Staff established a Volunteer Staff Advisory Group which meets quarterly to assist the District with volunteer recruitment and engagement. Staff has held two volunteer orientations with monthly orientations scheduled for the rest of the year. Staff has also recently developed a plan for a new water ambassador pilot program, which will be promoted externally as the Water 101 Academy. The application period is set to open in November with the goal to recruit County residents from all seven of the Director's districts. The Water 101 Academy will provide training sessions on water issues beginning in February 2018 with the goal to empower community volunteers to be leaders and water ambassadors in their own neighborhoods and places of work.

The **Education Outreach Program** focuses on educating pre-K-12 students , including college students on issues pertaining to water conservation, environmental stewardship, and flood protection.

Since January, staff reached more than 12,830 students and 462 teachers in more than 390 classrooms. Staff was involved in 19 tours at the District's outdoor classrooms, the Silicon Valley Advanced Water Purification Center (SVAWPC) and the Water Quality Lab. In addition, more than 4,000 contacts were made through public outreach events in libraries and community centers.

Highlights this year also included holding a flood awareness coloring contest, a collaboration with the District's Community Rating System (CRS). The "Are You Flood Ready?" coloring contest received more than 350 entries from 16 different schools throughout the County and included winners in each of the seven Board members' districts. To promote the District's flood awareness coloring contest, staff presented flood awareness programming in classrooms throughout the County from October 2017-March 2018, inviting more than 4,000 students grades K-6 in 176 classrooms, from 39 schools. The winning students received an emergency hand-crank radio, a mini emergency starter kit, and copies of "Chicken Little's Flood Advice" and the Red Cross Emergency Contact Card. Teachers in the winning students' classrooms received a back-pack of emergency supplies to keep in the classroom. Winning art from the contest was recently displayed in the lobby of the District's Headquarters building as part of California's Flood Preparedness Week during October 20-26, 2018.

Staff was involved in teaching several local First Lego League Teams about the processes involved in the treatment of water, in preparation for their participation in Hydrodynamics, a worldwide competition about water for middle and high schoolers. Several of those First Lego League Teams were honored at the Board Meeting on April 24, 2018 for their ability to identify real world problems and creating and designing solutions in HydroDynamics. Because of our facilitating the learning of water purification and treatment processes by these First Lego League teams, the District was invited to be part of the judging of the 8th annual FIRST LEGO league Global Innovation Award held in San Jose on June 19-21, 2019.

Staff also participated in the promotion and distribution of the first District's Day at the San Jose Giants. Working with the City of San José Parks and Recreation Department, staff distributed 120 tickets to summer camp students in the Rock Springs neighborhood and at the Joyce Ellington Library. The team continued its collaboration with the City of San José Parks and Recreation Department and the Boys and Girls Club leading to interactions with 898 campers in 9 camps during

the summer season.

The **Recycled Water Outreach Program** educates and informs the public of recycled and purified water to build support of the District's efforts to expand water reuse in the future.

Since January 2018, more than 1,200 visitors in 69 separate tours visited the Silicon Valley Advanced Water Purification Center (SVAWPC) through the public tour program. Highlights this year include hosting a Senior Water Tour Day on September 7, 2018, where Chair Santos and Director Estremera welcomed 256 seniors to the SVAWPC. Staff coordinated 11 separate tours throughout the day and provided educational activities with a new recycled water 'enviroscape' model, as well as featured the District's Water Truck and provided District swag bags.

In addition to tours for residents, the SVAWPC hosted delegations from South Korea and Brazil. Staff also participated in other District events including hosting a booth and serving taste test water at the Rinconada Open House on June 16, 2018. In March 2018, the District also received the 2018 Silicon Valley Conservation Award for Education for the District's outreach work promoting the SVAWPC. Director Kremen received the award on behalf of the District accompanied by both Chair Santos and Vice-Chair LeZotte.

During this period, staff engaged a public relations firm to launch a new social media campaign with influencer testimonials. The campaign will begin this winter with the purpose of promoting the tour program at SVAWPC as well as continuing to promote recycled and purified water as a sustainable and reliable source of our future water supply.

The Santa Clara Valley Water District Youth Commission

The Youth Commission was launched as a new Board Advisory Committee in the fall of 2017 and received 118 applications from eager high school students throughout the county. The Board appointed 21 high school aged students to the Youth Commission on April 24 2018. The first Youth Commission meeting was held on May 10 and 18 commissioners took the oath of office. Two subsequent meetings were held on June 12 and September 12 where the commissioners elected officers, and 8 members toured several District facilities with 19 other high school summer interns.

The Youth Commission is currently in the process of developing it's workplan. The commission has come up with ideas to populate their workplan with several projects including getting the District involved in the sponsorship of a science fair; seeking the District to work on strengthening the provisions of SB407, a water conservation bill which seeks the replacement of old plumbing fixtures in properties built before 1994, and hosting a job-fair targeted at youth.

In order to better engage the youth in activities which relate to their age group and interest, a survey was sent to youth commissioners to obtain their feedback on how the District can better engage them. The commission will discuss and take action based on the survey results at the Youth Commission meeting on November 28, 2018.

Moving Forward:

Staff will continue to build positive and proactive relationships with the community through engagement, education, & partnerships to build understanding, trust and support for the District's mission.

To ensure that programs and activities provided by Civic Engagement are accessible to all throughout the County, staff is working with external partners to identify where resources in the areas of environmental education, grantmaking, volunteer recruitment, and other outreach efforts have been concentrated and where they could be better spread out. Data collected from this effort will be used to develop a community needs assessment. The needs assessment will allow staff to develop a strategic outreach plan to target underserved areas in the county where resources have not been accessible for all Civic Engagement program areas.

Staff will continue to work on implementing a full-scale grants management system for the Safe, Clean Water Grants Program. The new system will allow for pre-award management, which includes the application and review process, and the post-award management, which includes grantee reporting, invoicing, and ongoing project management. This will streamline the grants processing system in ways that will be beneficial to grantees.

In addition, staff will continue to build out the Public Arts program. Staff is in the process of developing the Adopt-A-Bench program. The program will allow the community to adopt the various interpretive benches throughout the County and propose creative water-related artwork to adorn the bench, like the artwork seen lately on utility boxes throughout bay area cities.

In the Water Education & Volunteer Program, staff is also exploring new ways to enhance the impact of its programming in Education Outreach, Recycled & Purified Water Outreach, and the year-round District Volunteer programs. Through its Education Outreach efforts, staff intends to increase outdoor classroom visits through additional promotion, advertising, social media and targeted outreach to teachers, educators, youth groups, community groups and city Parks & Recreation Departments. Staff will continue to explore community partnerships with cities, libraries, school districts, nonprofits, foundations and other civic groups to increase program usage, particularly in underserved communities. To make their educational presentations conform to current trends in education, staff will align all program curriculum with the state's new Next Generation Science Standards (NGSS). To reaffirm the impact of its work, staff will pilot a pre-post survey for 3rd grade students to assess curriculum effectiveness. Staff is also exploring online educational modules to increase access to teachers for distance learning as well as explore new partnerships and funding opportunities to develop train-the-teacher modules and certification programs in environmental education.

In the Recycled Water Outreach program area, staff intends to refine existing communication and outreach plans for potable reuse efforts. Staff will launch an influencer social marketing campaign on potable reuse this winter as well as conduct an annual opinion poll survey to track support levels for potable reuse and to measure social media campaign recall effectiveness. Staff intends to continue working with staff on the Water Bottling Workgroup to advance efforts in bottling of purified water for educational purposes and to promote advanced water recycling.

Under the year-round District Volunteer Program, staff will launch in February 2019 the inaugural Water 101 Academy, which is the District's new ambassador pilot program. Staff will continue to recruit and place new volunteers in civic engagement programs, recruit and train new tour docents for the SVAWPC and other District facilities.

Staff will continue to seek and implement strategies to keep the Youth Commission engaged in the fulfillment of its role as an advisory committee to the Board and a vehicle through which the Board connects with the youth in the District. Staff will support the Commission's engagement with the March 2019 Santa Clara County Synopsis Science Fair through its Community Partnering Sponsorship program. Staff will further use the results of the recent Youth Commission survey to implement strategies to get the youth more engaged in the fulfillment of its role.

FINANCIAL IMPACT:

The recommended action does not have any financial impact on the District.

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:

Rick L. Callender, 408-630-2017

Office of Civic Engagement Annual Update

Board Presentation

November 27, 2018

Office of Civic Engagement Programs

Community Benefits Program

- Safe, Clean Water Grants and Partnership
- Creek Stewardship
- Public Arts & Signage

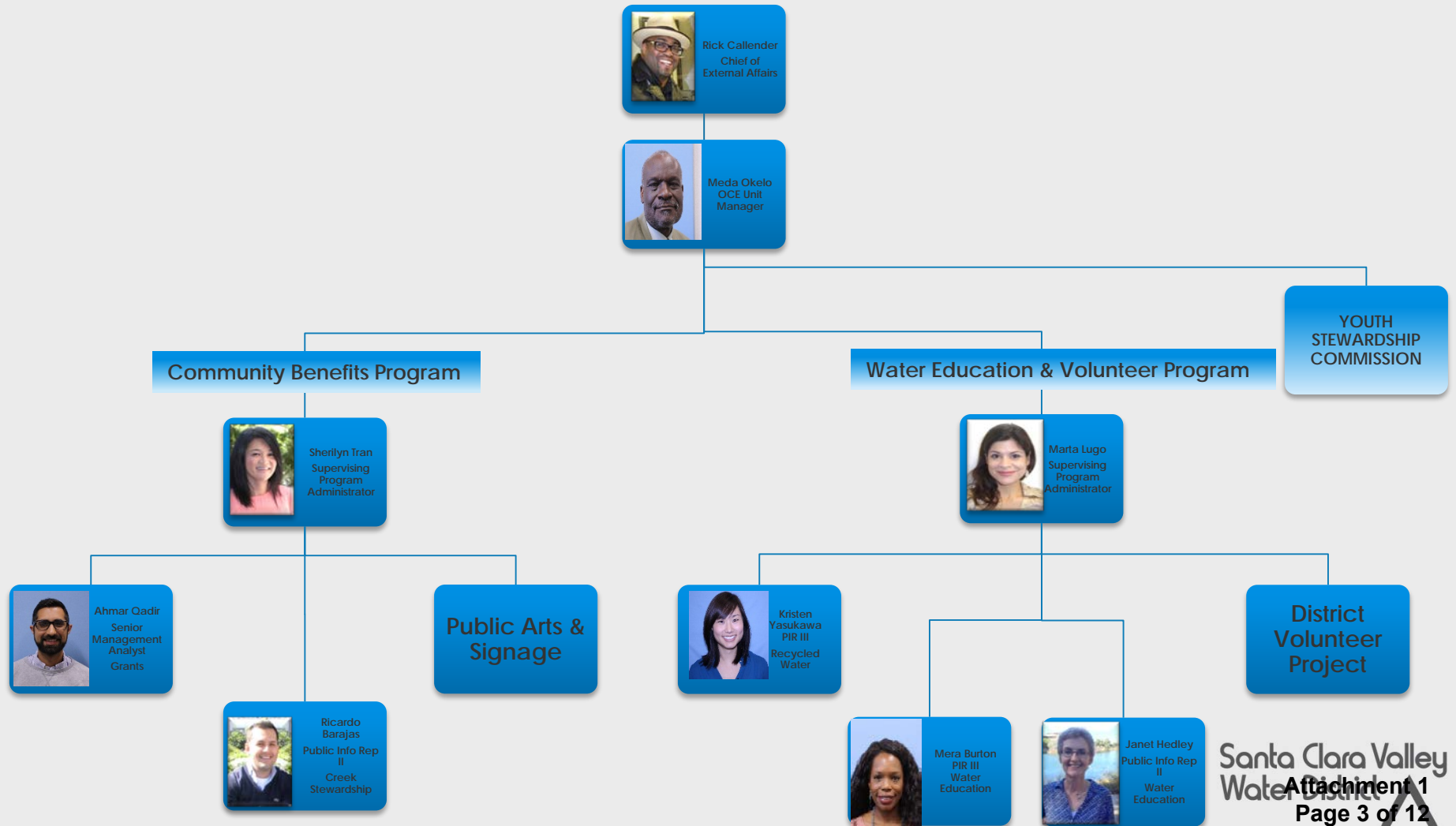
Water Education & Volunteer Program

- Volunteer Project
- Water Education Outreach
- Recycled Water Outreach

Youth Commission



Civic Engagement Team



Safe, Clean Water Grants & Partnerships



- Awarded
 - **\$696,000** for **7** Pollution Prevention projects
 - **\$429,000** for **10** Volunteer Cleanup Efforts and Education projects
 - **\$1,673,056** for **7** Restoration of Wildlife Habitat and Access to Trails and Open Space projects
 - **\$105,976** for **22** Wildlife Restoration and Environmental Stewardship mini-grant projects

Creek Stewardship

National River Cleanup Day

- 1,354 volunteers
- 37,353 lbs of trash
- 65 creek miles across 44 sites

Coastal Cleanup Day

- 1,900 volunteers
- 57,000 lbs of trash
- 65 creek miles across 47 sites

Adopt-A-Creek

- 150 partners



Public Arts & Signage



- **1,100 signs** inventoried
- District-wide sign management work started
- Pilot art project readied for launch

Year-Round Volunteer Program

- Established Volunteer Staff Advisory Group
- Launched VolunteerHub
- Distributed 1,000 postcards
- Launched water ambassador program



VOLUNTEER

and be a part of the water solution.

TOGETHER...we can make a difference.

Santa Clara Valley Water District is seeking new volunteers who are eager to learn and assist in our award-winning Water Education and Volunteer Program! Increase your water knowledge and become a water champion. **Come join an amazing team of district employees and volunteers.**

For more information on our volunteer program and to RSVP for an upcoming orientation, visit valleywater.org/volunteer or email volunteer@valleywater.org.

The poster features three images: a person in an orange shirt collecting debris into a plastic bag, a group of people in a water treatment facility, and a natural stream flowing over rocks.

Education Outreach

- **12,830** students
- **462** teachers in **390** classrooms
- **19** educational tours
- **4,000** puppet shows
- **350** entries to Flood Awareness Coloring Contest
- **120** SJ Giants game tickets via City of SJ Parks & Rec



Attachment 1
Page 8 of 12

Recycled Water Outreach

- 2018 Silicon Valley Water Conservation Award
- 1,200 visitors
- 69 tours
- 256 seniors/11 tours
- Delegations from Korea and Brazil for tours



Youth Commission

- 118 applications
- 3 Meetings and elections
- Workplan started
- 2019 Synopsis Science Fair
- Survey



Moving Forward

Water Education & Volunteer Program

- Expand outdoor classroom usage
- Enlarge capacity through 'train the trainer' initiatives.
- Better engage underserved communities
- Launch social marketing campaigns
- Launch Water 101 Academy



Community Benefits Program

- Serve the currently unserved
- Developing a District Sign Management System
- Pilot an Adopt-A-Bench Arts Program
- Launch a Grants Management System

Youth Commission

- March 2019 Synopsis Science Fair
- Youth Job Fair
- Survey results follow up

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File No.: 18-0918

Agenda Date: 11/27/2018

Item No.: 7.2.

BOARD AGENDA MEMORANDUM

SUBJECT:

Update on Education Outreach's Outdoor Classroom Program.

RECOMMENDATION:

Receive information on educational programming at the District's outdoor classrooms.

SUMMARY:

Background

In August 2017, the Education Outreach team was reorganized under the new Water Education & Volunteer Program under the Office of Civic Engagement. The Education Outreach project's main goal is to engage students and youth from Pre-K through high school and college primarily through in-classroom lessons and presentations, but also through outdoor classroom tours, summer camp programming, library visits, District open houses, and youth-focused events.

During the 2017-18 school year, program staff reached over 13,400 students and 650 teachers in over 420 classrooms. This included 24 tours at our outdoor classrooms, including additional support of youth tours at the Silicon Valley Advanced Water Purification Center (SVAWPC), which has been integrated into, and streamlined under, the Water Education & Volunteer Program. Education Outreach staff also supported more than 120 First Lego League student teams and hosted three separate teacher trainings focused on environmental education to further the reach of students through their teachers. In addition, over 3,700 contacts were made through public outreach events staffed by the Education Outreach Team. Overall, the program engaged with 17,783 contacts.

Education Outreach Team

New to the team this year is Mera Burton, the program's new Education Outreach Coordinator. Ms. Burton is an experienced and credentialed STEM teacher who taught math and science in both Palo Alto & East San Jose schools and who most recently ran NASA's educational outreach programs prior to coming to the District. The team is further complemented by Janet Hedley, a veteran environmental sciences educator and Marta Lugo, Supervising Program Administrator, who has led water education and outreach programs for the District's Recycled Water Tour program, and has prior youth development work experience.

The Education Outreach team is also supported throughout the year by college interns and temporary workers. In 2018, the program had up to eight year-round and summer interns and one

temp who are an integral part of the presentation team. The team is extremely capable of developing and supporting outdoor classroom programs in addition to the school, library and summer camp programming as part of a single cohesive and holistic program that delivers high quality environmental stewardship and water education.

Outdoor Classrooms

Currently, the program uses five outdoor classroom spaces in the county for educational presentations. The District-owned facilities include the Alamitos and Coyote Creek outdoor classrooms in San Jose, and the Alviso Educational Center Outdoor Classroom in Alviso.

The District also has an informal arrangement to use the Edith Morley Park Outdoor Classroom in Campbell, which is owned and managed by the City of Campbell, and the Coyote Valley Open Space Preserve and Outdoor Classroom in Morgan Hill, which is owned and operated by the Santa Clara Valley Open Space District (OSA). These two facilities are freely accessible to the public. Requests for the use of these open space facilities are coordinated with these agencies ahead of time to ensure availability.

During FY18, Education Outreach staff provided 29 tours that engaged 938 students, 47 teachers, educators, and 61 members of the public in water education programs. 24 tours were at our existing five outdoor classroom locations and 5 tours were at the purification center. This was in addition to the regular classroom presentations and other programming the team carried out. The team has also organized several public events and tours at the District's on campus Alamitos Outdoor Classroom over the years, such as hosting over 100 FIRST Lego League participants during 2017 and an annual Youth Stewardship Open House Tour that was organized as far back as June 2014.

Outdoor Classroom Usage FY12 - FY19

Outdoor Classroom/Tour Site	FY19*	FY18	FY17	FY16	FY15	FY14	FY13	FY12	TOTAL
Alamitos Outdoor Classroom (D4)	0	14	16	10	5	12	13	9	79
Alviso Outdoor Classroom (D3)	0	2	0	1	0	0	0	0	3
Coyote Creek Outdoor Classroom (D2)**	2	0	0	1	1	3	0	1	8
Coyote Valley Open Space Outdoor Classroom (D1)***	0	2	1						3
Edith Morley Outdoor Classroom (D4)	2	6	7	4	0	1	1	1	22
TOTAL	4	24	24	16	6	16	14	11	115

* FY19 numbers reflect Q1

** FY17 & FY18 Numbers for Coyote Creek reflect the impact of the flooding along Coyote Creek, in FY19 EO have tours of Coyote Creek scheduled in October and November

*** Coyote Valley Open Space Outdoor Classroom did not come online until FY17

During FY18, many of the requests for use of these facilities have come from schools, scouting groups, and other organizations such as First Lego League, youth camps and home schools.

Currently, field trips for Outdoor Classrooms are promoted through website advertising as well as the distribution of printed brochures in schools and community spaces such as libraries, community centers, and other public spaces and events.

As well as providing educational presentations traditionally referred to as 'tours' at the five outdoor classrooms and supporting youth tours at the purification center, Education Outreach also provides and supports tours of the Water Quality Testing Lab and supports tours at district open house events at our water treatment centers and project locations.

Next Steps

During this current fiscal year, staff will actively work towards increasing programming of outdoor classrooms through additional promotion and advertising and targeted outreach to teachers, educators, youth groups and city Parks & Recreation Departments.

Staff is actively looking at ways to further promote and advertise the program using social media, blogs and targeted outreach to local schools, educators, youth groups and community groups with targeted information about the program, including transportation information.

Staff will also explore community partnerships, using Safe, Clean Water Partnership funds and other mechanisms, with cities, school districts, businesses and particularly with agencies in close proximity to the sites that have traditionally generated little interest to increase usage. The Alviso Outdoor Classroom for instance has a Senior Center, a Boys and Girls Club and an Elementary School nearby. Education Outreach staff have recently connected with the SEAL Coach (Sobrato Early Academic Language) at George Mayne and Scott Lane Elementary Schools and are discussing field trip opportunities to the Alviso Outdoor Classroom.

Staff is also recruiting volunteers to increase its capacity to offer such programs.

Programming some sites however poses some challenges. Teachers, in informal surveys have indicated to us that one of their main barriers to visiting Outdoor Classrooms is being able to absorb the costs for transporting their students to the sites. Staff is exploring the possibility of offering transportation stipends as mini-grants and/ or through other funding mechanisms.

Other challenges include: locations such as the Coyote Creek Outdoor Classroom not having bathroom facilities on site and requiring extensive cleaning and beautification due to recent flood damage; continued general maintenance as well as appropriate maintenance and upkeep of bathrooms at Coyote Valley Open Space Outdoor Classroom. Staff is exploring possible short and long term solutions to these problems.

FINANCIAL IMPACT:

Further analysis is necessary to determine the financial impacts associated with supporting additional personnel, transportation stipends, porta potty use at Coyote Creek Outdoor Classroom and beautification efforts at the same site.

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: PowerPoint

UNCLASSIFIED MANAGER:

Rick L. Callender, 408-630-2017



Water Education & Volunteer Program Outdoor Classrooms Report

Board Presentation
November 27, 2018

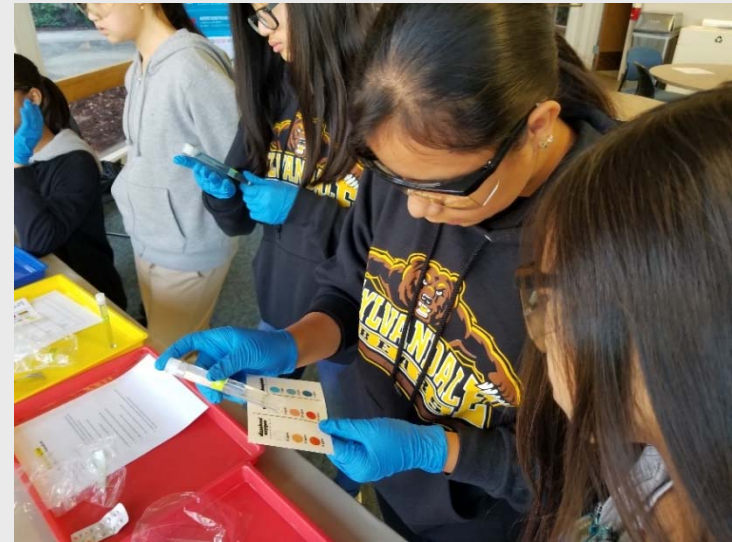


Water Education & Volunteer Program

Recycled Water Outreach



Education Outreach



District Volunteer



Expertise in Programming

- ▶ Education Outreach team qualifications
- ▶ Site specific programming
- ▶ Aligned with Next Generation Science Standards (NGSS) & California Common Core Standards.



Education Outreach

Successes and Milestones FY18

TOTAL REACHED: 17,834

Students	13,413
Student Interns	10
Teachers	650
Classes	423
Tours	29
Tour Attendees	988
Teacher Trainings	3
Volunteer Hours	68
Public Outreach	3,771
Library Programs	34
Events	19



Tours

Alamitos	14
Alviso	2
Coyote Valley	2
Edith Morley	6
SVAWPC	5

Outdoor Classrooms

More than 135
outdoor classroom tours

District Owned Sites:

1. Alamitos Outdoor Classroom (D4)
2. Alviso Outdoor Classroom (D3)
3. Coyote Creek Outdoor Classroom (D2)

Shared spaces with Open Space Authority & City of Campbell

4. Coyote Valley Open Space Preserve Outdoor Classroom (D1)
5. Edith Morley Park Outdoor Classroom (D4)



Alamitos Outdoor Classroom



Alviso Outdoor Classroom



Coyote Creek Outdoor Classroom



Coyote Valley Outdoor Classroom



Edith Morley Park Outdoor Classroom



Challenges & Opportunities

Challenges

- ▶ Funding for school bus transportation
- ▶ Bathroom access is non-existent or minimal
- ▶ Maintenance & Beautification
- ▶ Finite number of program staff

Opportunities

- ▶ Offer small transportation stipends
- ▶ Secure porta potties
- ▶ Community beautification project
- ▶ Recruit volunteers to assist with program delivery

Next Steps for Outdoor Classrooms

Increase Promotion:

- Promote through social media/ blogs
- Target outreach to youth & community groups
- Offer local field trips opportunities

Increase Utilization & Access:

- Explore community partnerships to increase usage
- Explore Safe, Clean Water partnership funds & other funding
- Recruit volunteers to increase program capacity

