

BOARD OF DIRECTORS MEETING

\_\_\_\_\_SPECIAL MEETING WEDNESDAY, DECEMBER 5, 2018 3:00 PM

(Paragraph numbers coincide with agenda item numbers)

## 1. CALL TO ORDER:

A Special Meeting of the Santa Clara Valley Water District Board of Directors was called to order in the District Headquarters Building Boardroom, at 5700 Almaden Expressway, San Jose, California, at 3:00 P.M.

1.1. Roll Call.

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

Director Varela was excused from attending.

Staff members in attendance were N. Camacho, Chief Executive Officer (CEO),
M. King, Clerk/Board of Directors, E. Aryee, A. Baker. L. Bankosh, R. Callender,
G. De La Piedra, R. Gibson, V. Gin, C. Hakes, N. Hawk, N. Nguyen,
M. Richardson, D. Taylor, A. Tikekar, B. Yerrapotu, and T. Yoke. Senior
Assistant District Counsel A. Fulcher represented District Counsel S. Yamamoto.

1.2. Pledge of Allegiance/National Anthem.

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

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

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

#### 2. BOARD OF DIRECTORS:

2.1. Board of Directors Fiscal Year 2019-20 Strategic Planning Session.

Recommendation:

- A. Participate in the Board's Fiscal Year 2019-20 (FY20) Strategic Planning Session identifying goals, strategies, and challenges/opportunities for FY20;
  - B. Direct the Board Policy and Planning Committee to review collected information and develop a draft Fiscal Year 2019-20 Board Work Plan and budget message for Board review and approval; and
  - C. Identify any Board Governance Policies that may require revisions and assign to the Board Policy and Planning Committee for review.

Ms. Jessica Collins, Program Administrator, reviewed the information on this item, per the attached Board Agenda Memorandum; reviewed the corresponding materials contained in Attachments 1 and 2; and reviewed and distributed the attached presentation materials, identified as Handout 2.1-A, herein. Copies of the Handout were distributed to the Board and made available to the public.

Chairperson Santos acknowledged receipt of the attached memorandum from Directors LeZotte, Keegan, and Hsueh, identified as Handout 2.1-B herein; and reviewed and distributed the attached Board Chair's Additional Requests Regarding Fees document, identified as Handout 2.1-B-1, herein. Copies of the Handouts were distributed to the Board and made available to the public.

Ms. Collins acknowledged staff who provided supported discussions, as follows: Ms. Kristen Yasukawa, Public Information Representative III, captured Goals, Strategies, and Challenges/Opportunities for the Fiscal Year 2020 Strategic Planning Session; and Ms. Samantha Buglewicz, Management Analyst II, captured notes for Board Policy and Planning Committee use in developing a Draft Fiscal Year 2020 Board of Directors Work Plan and Budget Message.

Director Estremera left the meeting, and did not return.

A summary of the Board's discussion is contained in the attached Flip Chart Notes.

Upon conclusion of discussion, Chairperson Santos declared a brief recess, and readjourned the meeting with the same Board members, excluding Directors Estremera and Varela, and staff present.

## 3. WATER UTILITY ENTERPRISE:

3.1. State Water Project Tax Discussion.

Recommendation: Consider information provided by staff and provide policy direction as necessary.

The Board continued the item to a future meeting.

3.2. Open Space Credit Policy Discussion.

Recommendation: A. (

- A. Consider information provided by staff and provide policy direction as necessary, and;
  - B. Develop an Agricultural water charge adjustment for Williamson Act and Conservation Easement participation that would hold the agricultural water charge to 6% of the Municipal and Industrial (M&I) charge.

Mr. Darin Taylor, Chief Financial Officer, reviewed the information on this item, per the attached Board Agenda Memorandum, and the corresponding presentation materials contained in Attachment 1 were reviewed by staff as follows: Mr. Taylor reviewed Slides 1-5; and Mr. Joe Atmore, Revenue Manager, reviewed Slides 6-11.

Mr. Atmore additionally reviewed and distributed the attached letter from the Santa Clara Valley Open Space Authority, and Handout 3.2-A herein. Copies of the Handout were distributed to the Board and made available to the public.

The Board continued the item to a future meeting, to be held at such time that Director Varela could be present, and requested that staff come back to the Board, after having been to the Agricultural Water Advisory Committee and the Water Conservation and Demand Management Committee, with a comprehensive overview of various Open Space Credit rate scenarios that includes the benefits and consequences associated with each proposal.

3.3. Priority Ranking Criteria for the Capital Improvement Program.

Recommendation:	Review and provide direction to staff on recommended
	refinements to the Priority Ranking Criteria for the FY
	2020-24 Capital Improvement Project (CIP).

Mr. Ngoc Nguyen, Deputy Operating Officer, reviewed the information on this item, per the attached Board Agenda Memorandum, and the corresponding presentation materials contained in Attachment 1.

During the presentation, the Board made the following requests of staff:

- Compare other agencies CIP Projects ranking methods with the District's and identify Best Management Practices;
- Invite Board Members to attend CIP presentations to the 15 cities within Santa Clara County, when presentations are held within their District; and
  - Include the following in the Draft CIP Priority Ranking Criteria:
    - Cost-benefit ratios;
    - Project aesthetics;
    - Rationale for assignment of weight values for Priority Ranking Criteria; and
    - Payback periods, or time needed to recover initial outlay.

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## 4. ADJOURN:

4.1. Clerk Review and Clarification of Board Requests.

Recommendation: Consider information provided by staff and provide policy direction as necessary.

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

4.2. Adjourn to 11:00 a.m. Closed Session and 1:00 p.m. Regular Meeting on Tuesday.

Chairperson Santos adjourned the meeting at 7:30 p.m., to the 11:00 a.m. Closed Session and 1:00 p.m. Regular Meeting on Tuesday, December 11, 2018, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.

> Michele L. King, CMC Clerk/Board of Directors

Approved:

Date:

	WATER SUPPLY		
Goal 1: Ensure current	Goal 1: Ensure current and future water supply for municipalities, industries, agriculture, and the		
environment is reliable			
	e the FY20 language to convey resilient, safe, and affordable water supply		
<b>-</b>	e Fisheries and Aquatic Habitat Collaborative Effort (FAHCE)		
*Carry forward to FY20	the planning permitting and other estions percent to finalize resolution of the		
•	the planning, permitting and other actions necessary to finalize resolution of the		
complaint.	nalize" to "implement" since the timeline/schedule is more complex than originally anticipated.		
Board Identified	Challenges		
Changes, Challenges,			
Opportunities	<ul> <li>Resource loading and allocation</li> </ul>		
Staff Identified	Challenges		
Changes, Challenges,	<ul> <li>EIR public draft deadline has shifted to spring 2019</li> </ul>		
Opportunities	<ul> <li>Modeling is complex and has required more time than anticipated</li> </ul>		
	<ul> <li>Overall program costs have escalated due to model and EIR complexity</li> </ul>		
	Opportunities		
	<ul> <li>Expediting early implementation of feasibility studies, monitoring activities,</li> </ul>		
	planning and construction of various fish passage improvements		
	identified in the FAHCE settlement agreement		
	<ul> <li>Overall program costs have escalated due to model and EIR complexity</li> <li>Opportunities         <ul> <li>Expediting early implementation of feasibility studies, monitoring activities, planning and construction of various fish passage improvements</li> </ul> </li> </ul>		

	WATER SUPPLY		
Goal 1: Ensure current	Goal 1: Ensure current and future water supply for municipalities, industries, agriculture, and the		
environment is reliable			
	e FY20 the language to convey resilient, safe, and affordable water supply		
	rsue Efforts to Increase Water Storage Opportunities		
*Carry forward to FY20			
	secure funding sources and partnerships for the Pacheco Reservoir Project.		
	ling the "evaluation of feasibility and acceptability of storage opportunities"		
Board Identified	Challenges		
Changes, Challenges,			
Opportunities	Changes		
	<ul> <li>Does the project make sense with the changed ecosystem?</li> </ul>		
Staff Identified	Challenges		
Changes, Challenges,	<ul> <li>District's role in governance on Sites project</li> </ul>		
Opportunities	<ul> <li>District's role in governance on Sites project</li> </ul>		
	<ul> <li>Funding to continue participation in feasibility and planning for all projects</li> </ul>		
	<ul> <li>Federal authorization for Pacheco Reservoir Project</li> </ul>		
	<ul> <li>Complex participation structure for Los Vaqueros</li> </ul>		
	Opportunities		
	<ul> <li>Exploring additional funding opportunities</li> </ul>		
	<ul> <li>State partnership and regulatory support (CDFW) opportunities for</li> </ul>		
	Pacheco Reservoir Project		
	• The California Water Commission conditionally approved the District's CA		
	Prop 1 Water Storage Investment Program \$484.55M funding request as		
	well as an early Funding award of \$24.2M		
	<ul> <li>Early Funding Agreement from the California Water Commission</li> </ul>		

	WATER SUPPLY		
Goal 1: Ensure current a	Goal 1: Ensure current and future water supply for municipalities, industries, agriculture, and the		
environment is reliable	environment is reliable		
	*Goal written too simply – refine FY20 the language to convey resilient, safe, and affordable water supply		
<b>Strategy 3:</b> Actively Participate in Decisions Regarding the California WaterFix *Carry forward to FY20			
FY19 Focus:			
Continue to engage and	negotiate financial arrangements to protect Santa Clara County's and the residents'		
interests through participa	ation serving on the Delta Conveyance Design and Construction Authority (DCA).		
This Joint Powers Author	ity is charged with the management of design and construction of the WaterFix		
facilities.			
*Make the FY20 focus more bro			
Board Identified	Opportunities		
Changes, Challenges,	<ul> <li>The District to be a voice for Northern California</li> </ul>		
Opportunities	<ul> <li>Work closer with the Governor</li> </ul>		
	<ul> <li>Adherence to our guiding principles – negotiations based on our guiding</li> </ul>		
	principles		
	<ul> <li>Negotiate with other agencies on water supply</li> </ul>		
Staff Identified	Changes		
Changes, Challenges,	<ul> <li>From Governor Brown to Governor Newsom – January 1, 2019</li> </ul>		
Opportunities	Challenges		
	<ul> <li>Concerns of how agriculture sector pays for their share of the project</li> </ul>		
	<ul> <li>Multiple obstacles and legal hurdles preventing the project from moving</li> </ul>		
	forward		
	<ul> <li>State's decision on the water quality control plans will influence the future feasibility of the project</li> </ul>		
	Opportunities		
	<ul> <li>Board members are influential decision makers on the Design &amp; Construction Authority (DCA) and Finance Authority</li> </ul>		

	WATER SUPPLY		
<b>Goal 1:</b> Ensure current and future water supply for municipalities, industries, agriculture, and the environment is reliable *Goal written too simply – refine FY20 the language to convey resilient, safe, and affordable water supply			
	Strategy 4: Advance Recycled and Purified Water Efforts with the City of San Jose and Other Agencies		
FY19 Focus:	I non-potable and advance purified water county-wide by engaging with all cities		
within the county to deterr	mine county-wide interest and prioritization.		
Work with City of San José to resolve identified issues of land, treated wastewater quality, and reverse osmosis concentrate management. Pursue a Public-Private Partnership (P3) delivery method for the program. *Carry forward to FY20			
Board Identified	Challenges		
Changes, Challenges, Opportunities	<ul> <li>25,000 AF recycled water goal</li> <li>Determine purified water reality and update the water supply master plan accordingly</li> <li>Ordinance taking longer than anticipated</li> </ul>		
	<ul> <li>We want an integrated system – City is looking at it from a cost-benefit analysis</li> <li>Lower cost to the city and consumers (purple pipe) and requires developers to pay for purple pipe water.</li> <li>Clarify expectations and interests of cities</li> <li>City finds there is a lot of maintenance problems with purple pipe</li> <li>Tactical aspect of strategy – be realistic of county wide master plan</li> <li>Look at these things on "what is the reality that we can get these things done"</li> </ul>		

	<ul> <li>County finds there is a different feeling of growth and development. Focus on those who find DPR more accepting - OK to pay money up front.</li> <li>Other agencies may not be ready for advanced purified water</li> <li>Opportunities         <ul> <li>What is the best pragmatic approach for purified water over the next 30 years?</li> <li>Desalination may be positive for rates</li> <li>Focus on areas that are more accepting of DPR</li> <li>Educate the public so they know the cost of maintenance down the line despite low start-up costs of purple pipe</li> <li>Take advantage of regional opportunities to do business with regional parties despite other parties' lack of interest</li> <li>Make parties' that are ready to work with us on integration a priority</li> </ul> </li> </ul>
Staff Identified Changes, Challenges,	<ul> <li>Changes         <ul> <li>Recent rollout of regulatory requirements at state level regarding surface</li> </ul> </li> </ul>
Opportunities	water augmentation
	Challenges
	<ul> <li>Obtaining consensus from all cities on alternatives to Countywide Water Reuse Master Plan</li> </ul>
	<ul> <li>Getting commitments from cities on wastewater allocations</li> </ul>
	<ul> <li>Declining flows at wastewater treatment plants</li> </ul>
	<ul> <li>Monitoring and treating Constituents of Emerging Concern (CECs)</li> </ul>
	Opportunities
	<ul> <li>Positive results on the Reverse Osmosis (RO) Concentrate</li> </ul>
	management study

	WATER SUPPLY
	nd future water supply for municipalities, industries, agriculture, and the
environment is reliable	FY20 the language to convey resilient, safe, and affordable water supply
Strategy 5: No regrets ap *NEW FY20 STRATEGY	
FY19 Focus: *NEW FY20 FOCUS	
Board Identified Changes, Challenges, Opportunities	<ul> <li>Changes <ul> <li>Focus on regional projects</li> </ul> </li> <li>Challenges <ul> <li>Is this project/initiative/goal/strategy realistic</li> <li>Figure out what is possible</li> <li>Water conservation – no regrets</li> <li>Reality of the impact of a model ordinance</li> <li>Working with cities and other stakeholders on the ordinance</li> </ul> </li> <li>Opportunities <ul> <li>Celebrate the partners who want to come to the table (out of county – i.e. Central Valley)</li> <li>Explore feasibility of brackish water desalination</li> <li>Continue proactive approach with engaging elected officials</li> <li>Increase communication to the public about opportunities</li> </ul> </li> </ul>
Staff Identified Changes, Challenges, Opportunities	N/A

	WATER SUPPLY
•	and reliability of our raw water transmission and distribution assets.
*Carry forward to FY20	Jaraan Dam Sajamia Datrofit Drajaat
*Carry forward to FY20	derson Dam Seismic Retrofit Project
FY19 Focus:	
	ropriate regulatory agencies to review and obtain approval for all project design
plans.	
Release for review and ce	ertify the Draft Environmental Report.
	plic and neighborhoods of the project progress and construction timeline.
*Carry forward to FY20	
Board Identified	Opportunities
Changes, Challenges, Opportunities	<ul> <li>Flooding shows our dam operations affect residents downstream</li> </ul>
Staff Identified	Challenge: Regulatory oversight into post-construction operations and
Changes, Challenges,	permitting
Opportunities	<ul> <li>Challenge: Sequencing of District's dam seismic retrofit projects</li> </ul>
••	<ul> <li>Challenge: Misaligned priorities with regulatory agencies</li> </ul>
	Challenge: Water supply reliability during construction
	Opportunity: Global approach to permitting with FAHCE and Coyote Creek
	project
	Opportunity: Incorporate lessons learned from SFPUC Calaveras Reservoir
	Retrofit Project
	Opportunity: Exploring options for alternative finance mechanisms

Natural Flood Protection	
	protection for residents, businesses, and visitors.
*Carry forward to FY20	
	ershed-Wide Regulatory Planning and Permitting Effort
*Carry forward to FY20 FY19 Focus:	
	I.C. Fish and Wildlife Convice normality reasons and streamling the normality is view.
process.	J.S. Fish and Wildlife Service permit process and streamline the permit review
At the state level, continue to r	oursue legislation (SB 1301 [Beall] Expedited Permitting for Dam Safety and
•	dite permits for projects that meet certain life-safety criteria, such as projects
	sheds, projects to address high hazard dams with seismic restrictions, and
•	ational economic importance, among others.
*Broaden the FY20 focus – do not mal	
Board Identified Changes,	Changes
Challenges, Opportunities	<ul> <li>Administration</li> </ul>
	Challenges
	<ul> <li>Dealing with regulatory outreach</li> </ul>
	Opportunities
	<ul> <li>Enlist support from other elected officials</li> </ul>
	<ul> <li>Board continues to make strides</li> </ul>
Staff Identified Changes,	
Challenges, Opportunities	
chanenges, opportunities	<ul> <li>Upper Berryessa litigation provides an opportunity to set</li> <li>avportations for future participation from SERWOCR</li> </ul>
	expectations for future participation from SFRWQCB
	<ul> <li>New discussions with incoming administration</li> </ul>
	<ul> <li>Support from other stakeholder groups and legislature for regulatory reform</li> </ul>

## **Natural Flood Protection** Goal 2: Reduce potential for flood damages. \*Carry forward to FY20 Strategy 1: Ensure Immediate Emergency Action Plans and Flood Protection are Provided for Coyote Creek \*Broaden for FY20 to look at other creeks. FY19 Focus: Continue to pursue state and federal funding avenues for the Coyote Creek Flood Protection Project. Apply the Emergency Action Plan to other areas in San José and other cities throughout the county. Continue to raise awareness to property along creeks where the District does not have property rights and manage expectations/awareness of owners to the flood risks associated with encroachments, downed trees, etc. \*Broaden for FY20 to look at other creeks **Board Identified Changes**, Challenges Challenges, Opportunities Working with cities to limit development in flood zones Limited budget and real estate costs are significant • Lack of funding for flood protection – look to feasible revenue sources Managing expectations of timelines and our ability to afford the projects we promise **Opportunities** Additional proactive measures such as purchasing properties/rights to reduce future liability. Flood proofing a property may be less expensive than purchasing and has proven a success in the past. Bring project approach decisions to the board Feasible revenue sources 0 Educate the public on project timeline updates

Staff Identified Changes, Challenges, Opportunities	<ul> <li>Challenges         <ul> <li>Aligning the federal partnership timeline with Mid-Coyote Project with the need to provide flood protection while Anderson Dam is under construction</li> </ul> </li> </ul>
	<ul> <li>Regulatory permitting</li> <li>Affordability of maintenance on non-District owned properties</li> <li>Updating the encroachment policy and implementation</li> </ul>
	<ul> <li>Opportunities         <ul> <li>Mid-Coyote Flood Risk Reduction Project Public Meeting in early 2019</li> </ul> </li> </ul>
	<ul> <li>Potential federal funding support for Mid-Coyote Project</li> <li>Private participation in land development and flood protection projects</li> </ul>

# **ENVIRONMENTAL STEWARDSHIP**

**Goal 1:** Protect and restore creek, bay, and other aquatic ecosystems.

\*Carry forward to FY20

**Strategy 1:** Foster a Coordinated Approach to Environmental Stewardship Efforts

\*Carry forward to FY20

# FY19 Focus:

At the federal level, expedite U.S. Fish and Wildlife Service permit process and streamline the permit review process.

At the state level, expedite permits for projects that meet certain life-safety criteria, such as projects located in high flood risk watersheds, projects to address high hazard dams with seismic restrictions, and high-risk tidal flood zones of national economic importance, among others.

# \*Carry forward to FY20

Board Identified Changes,	• N/A
Challenges, Opportunities	
Staff Identified Changes,	Changes
Challenges, Opportunities	<ul> <li>Developing annual stewardship report in FY19</li> </ul>
	Challenges
	<ul> <li>Funding to create multi-purpose projects</li> </ul>
	Opportunities
	<ul> <li>Better communicate with constituents regarding what they want</li> </ul>
	in regard to stewardship efforts

E	NVIRONMENTAL STEWARDSHIP
<b>Goal 1:</b> Protect and restore cre *Carry forward to FY20	ek, bay, and other aquatic ecosystems.
Strategy 2: Collaborate/Strategy *NEW FY20 STRATEGY	ze with other agencies regarding homeless in creeks
FY19 Focus: *NEW FY20 FOCUS	
Board Identified Changes, Challenges, Opportunities	<ul> <li>Challenges         <ul> <li>Homeless encampments</li> <li>Can we get sued for not doing enough?</li> <li>Need to keep our streams healthy                 <ul> <li>This is a huge challenge for us</li> <li>Pollution in the creeks</li> </ul> </li> <li>Opportunities                     <ul></ul></li></ul></li></ul>
Staff Identified Changes, Challenges, Opportunities	N/A

Business Management		
that provides equal opportunity er *This is an Executive Limitation. BPPC to a <b>Strategy 1:</b> Advance Diversity a *Carry forward to FY20	develop a draft policy. nd Inclusion Efforts nce reports on recruitment, hires and promotions. Benchmark with best	
Board Identified Changes, Challenges, Opportunities	<ul> <li>Challenges         <ul> <li>There is still room for improvement with the ERGs and D&amp;I efforts</li> </ul> </li> <li>Opportunities         <ul> <li>D&amp;I Leadership starts with the board</li> <li>Making strides through the D&amp;I committee; lots of progress in FY19</li> </ul> </li> </ul>	
Staff Identified Changes, Challenges, Opportunities	<ul> <li>Opportunities         <ul> <li>Through external stakeholder research, the Emerging Leaders Certificate Program Capstone Project group found that the District's D&amp;I Program is at the forefront of similar, external programs, with a plan, established program, and budget for D&amp;I activities</li> </ul> </li> </ul>	

Business Management		
<b>Goal 2:</b> Assure there are capable employees with knowledge and expertise in subject matter integral to the future of water resource management in Santa Clara County.		
*This is an Executive Limitation. BPPC to develop a draft policy. *NEW FY20 GOAL		
Strategy 1: Resource Allocation *NEW FY20 STRATEGY		
FY19 Focus: *NEW FY20 FOCUS		
Board Identified Changes,	Challenges and Opportunities	
Challenges, Opportunities	<ul> <li>How do we assure that we move forward into capital intensive work with sufficient staff and our personal assets being managed and moved around to support these projects?</li> </ul>	
Staff Identified Changes, Challenges, Opportunities	N/A	

Business Management		
<b>Goal 2:</b> Assure there are capable employees with knowledge and expertise in subject matter integral to the future of water resource management in Santa Clara County. *This is an Executive Limitation. BPPC to develop a draft policy. *NEW FY20 GOAL		
Strategy 2: Succession Planning *NEW FY20 STRATEGY		
FY19 Focus: *NEW FY20 FOCUS		
Board Identified Changes, Challenges, Opportunities	<ul> <li>Changes <ul> <li>Put together a timeline of programs for succession planning</li> </ul> </li> <li>Challenges <ul> <li>Risk assessment showed a big issue with succession planning</li> <li>Need to do more with knowledge capture</li> <li>Retirement knowledge</li> <li>Hire for longevity</li> <li>How do we make sure we do the right hires particularly in times of rapid expansion?</li> <li>Have path for training and transfer of knowledge to happen easily</li> </ul> </li> </ul>	
Staff Identified Changes, Challenges, Opportunities	<ul> <li>Opportunities         <ul> <li>Develop our current staff so they are in positions for promotions</li> <li>Hire local people within our community and build on diversity efforts</li> <li>Reduced work schedules for those approaching retirement</li> <li>Work with the community and organizations to grow/educate students in STEM fields</li> <li>Explore private sector tools - such as retention bonuses</li> </ul> </li> </ul>	

Business Management		
<b>Goal 3:</b> Ensure that the business and cost of services we provide are reasonable and worth it. *NEW FY20 GOAL		
Strategy 1: *NEW FY20 STRATEGY		
FY19 Focus: *NEW FY20 FOCUS		
Board Identified Changes,	N/A	
Challenges, Opportunities		
Staff Identified Changes,	N/A	
Challenges, Opportunities		

# **General BPPC Action Items:**

- 1. Policy Develop policy to allow Board committees to invite speakers easily.
- 2. Policy Work with District Counsel to review the ability of the chair to sign a resolution from the Board congratulating someone for retiring when the scheduling/notice is quick.
- 3. Planning Look at effectiveness of our advisory committees. Do we or do we not need them?