

Santa Clara Valley Water District Board Policy and Planning Committee Meeting

Board Conference Room A-124

REGULAR MEETING AGENDA

Monday, April 23, 2018
2:00 PM

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

**BOARD POLICY AND PLANNING
COMMITTEE**

Nai Hsueh - District 5, Committee
Chair
Barbara Keegan - District 2,
Committee Vice Chair
John L. Varela - District 1

All public records relating to an 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.

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

**Santa Clara Valley Water District
Board Policy and Planning Committee
REGULAR MEETING
AGENDA**

Monday, April 23, 2018

2:00 PM

Board Conference Room A-124

1. CALL TO ORDER:

1.1. Roll Call.

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

HANDOUTS

Attachments: [042318 BPPC Handout 1.2-A](#)
[042318 BPPC Handout 1.2-B](#)

2. APPROVAL OF MINUTES:

2.1. Approval of Minutes.

[18-0251](#)

Recommendation: Approve the February 26, 2018, Minutes.

Manager: Michele King, 408-630-2711.

Attachments: [Attachment 1: 022618 Draft Minutes](#)

3. NEW BUSINESS:

3.1. Board Strategic Plan Outline. [18-0249](#)

Recommendation: Review and provide feedback and direction on the Draft Board Strategic Plan Outline.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: FY19 Board Priorities Spreadsheet](#)
[Attachment 2: Draft Strategic Plan Outline](#)

3.2. Board Performance Measures and Report. [18-0250](#)

Recommendation: A. Review the 2017 Board Performance Measures and Report and identify areas where revisions and/or additions can be made to better reflect outcomes of the Board's work; and
B. Identify possible stretch goals of the Board that can be incorporated into future Board Performance Reports.

Manager: Michele King, 408-630-2711.

Attachments: [Attachment 1: 2017 Board Performance Report](#)
[Attachment 2: 2017 Performance Measure Results Detail](#)
[Attachment 3: Mr. Muirhead's Comments](#)

4. OLD BUSINESS:

4.1. Pro-Active Right-of-Way Acquisition to Support One Water Objectives. [18-0257](#)

Recommendation: Review a draft process outline for pro-active right-of-way acquisition for long-range management of water resources and provide input.

Manager: Vincent Gin, 408-630-2633

Attachments: [Attachment 1: One Water Information Sheet](#)

4.2. Work Plan, Meeting Schedule and Accomplishments Report. [18-0252](#)

Recommendation: A. Review Work Plan and Accomplishments Report and incorporate any new tasks; and
B. Schedule Committee meetings as appropriate.

Manager: Michele King, 408-630-2711.

Attachments: [Attachment 1: 2018 Work Plan](#)

5. ADJOURN:

5.1. Clerk Review and Clarification of Committee Requests.

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

- 5.2. Adjourn to Regular at 2:00 p.m., on May 28, 2018, in the Santa Clara Valley Water District Headquarters Building Conference Room A-124, 5700 Almaden Expressway, San Jose, California.



Santa Clara County Creeks Coalition

Advocates for living streams

7 March 2018

The Honorable Nai Hsueh, Chair
Policy and Planning Committee
By email

Re: Request for Committee Request to Staff for Input on Policies and Practices That Adversely Impact Public Trust Resources.

Dear Ms. Hsueh,

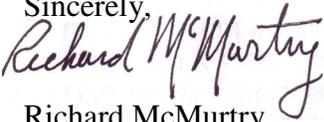
I am writing to request that the Policy and Planning Committee request staff response to the following questions. The reason I am asking these questions because I believe that without addressing them you can not make a case to the State Water Board that FAHCE is sufficient to justify a finding that FAHCE satisfies your public trust responsibilities. Without addressing them, you will simply extirpate the fish, not preserve it and restore it to a healthy condition.

1. If the Board adopted a policy to preserve the steelhead trout in coldwater management zones in identified trout streams during prolonged drought (meaning no more than one year in five would be dried back), what changes would be needed in the District's drought response tiered system of voluntary and mandatory use restrictions to integrate both protection of steelhead trout AND prevention of land subsidence into that system?
2. IF the Board adopted a policy to preserve the steelhead trout population in coldwater management zones in identified trout streams, what changes would be needed in the District's practice, during drought, of sending water directly to treatment plants in order to reduce the threat of ground subsidence and thus dewater streams leading to fish mortality. A recent letter from Norma Camacho to me probably authored by Garth Hall said in effect that when faced with three conflicting priorities of water supply, prevention of ground water subsidence, and instream use for fish during drought, the District prefers to supply water directly to treatment plants to obviate the need to withdraw groundwater and reduce the threat of ground subsidence. This in effect driesback the streams thus killing fish.
3. During drought when there is no local inflow into District Reservoirs, the District may still receive water from the CVP which then is mixed with local water. Could the District calculate the percentage of the total water in the reservoir is local water and then release that amount of water to the stream to protect public trust resources pursuant to its water rights license responsibilities?
4. If the District shows that protection of public trust resources during drought requires the release of CVP water into streams for transmission to the deep water aquifer, could the District propose such releases as part of their efforts to compensate for adverse impacts on public trust resources caused by dam operation (i.e. lost perennial habitat) and have the State Board mandate implementation of the plan even though the CVP water is not part of the local water rights license regulated waters?
5. The District has contracts with water purveyors that state:
ARTICLE D. AVAILABILITY OF WATER

1. In any year in which there may occur a water shortage by reason of drought or other temporary cause in the supply of water available for delivery to all users, District shall, before reducing other deliveries of water, reduce, or if necessary cease, to the extent permitted by the operation of District's facilities consistent with its obligations to receive water pursuant to the State and/or Federal Contract, all deliveries of untreated water for recharge of groundwaters.

6. If the Board adopts a policy to preserve steelhead trout populations during drought, what changes would be needed and appropriate to this clause of the Contract? Should the phrase be added, "except as required to protect public trust resources"?

Sincerely,

A handwritten signature in dark ink that reads "Richard McMurtry". The signature is written in a cursive style with a large, stylized "M" and "R".

Richard McMurtry



Santa Clara County Creeks Coalition

Advocates for living streams

March 16, 2018

The Honorable Nai Hsueh, Chair
 CIP Committee and Policy and Planning Committee
 Santa Clara Valley Water District
 By email

Re: Suggested Changes to the CIP for Fishery Projects and Resolving the Funding Source Issues and Policy Changes to Support This
 Dear Ms. Hsueh,

I have reviewed the draft CIP on the February 27 agenda and have some suggestions for how to fill the gaps in the table of “funding source” for Ogier Ponds and Metcalf Ponds and a revised schedule to complete the projects in a more timely way. As shown in the excerpt below, there is no funding source indicated for Metcalf /Ogier and work doesn’t staff until FY21.

My request is that you don’t assume this is impossible, but rather that you ask staff to tell you what changes in staffing, if any, would be needed to accomplish the proposed schedule and funding strategy below.

Gaps in CIP Funding Source Table

Project	Actuals Thru	Planned Expenditures							Total
	FY17	FY18	FY19	FY20	FY21	FY22	FY23	Future	
95C40400 Metcalf Ponds Design & Construction	0	0	0	0	2,000	2,000	2,000	20,000	26,000
with inflation	0	0	0	0	2,282	2,385	2,492	25,013	32,173
95C40401 Ogier Ponds Design & Construction	0	0	0	0	0	1,000	1,000	11,000	13,000
with inflation	0	0	0	0	0	1,193	1,246	14,225	16,664
62C40402 Ogier Ponds Design & Construction	0	0	0	0	0	1,000	1,000	11,000	13,000
with inflation	0	0	0	0	0	1,193	1,246	14,225	16,664
TOTAL	0	0	0	0	2,000	4,000	4,000	42,000	52,000
with inflation	0	0	0	0	2,282	4,770	4,985	53,463	65,500

Actuals include project expenditures, and encumbrances.

FUNDING SCHEDULE

(in thousands \$)

Project	Budget Thru	Adj. Budget	Est. Unspent	Planned Funding Requests					Total	
	FY17	FY18	FY19	FY20	FY21	FY22	FY23	Future		
95C40400 Metcalf Ponds Design & Construction	0	0	0	0	0	2,282	2,385	2,492	25,013	32,173
95C40401 Ogier Ponds Design & Construction	0	0	0	0	0	0	1,193	1,246	14,225	16,664
62C40402 Ogier Ponds Design & Construction	0	0	0	0	0	0	1,193	1,246	14,225	16,664
TOTAL	0	0	0	0	0	2,282	4,770	4,985	53,463	65,500

Adjusted Budget includes adopted budget plus approved budget adjustments.

FUNDING SOURCES

(in thousands \$)

Expenditure Schedule

I propose the following expenditure schedule which I've placed alongside the CIP schedule for (1) Ogier Ponds, (2) Metcalf Ponds, (3) Singleton Road (4) Lake Almaden/Alamitos Drop Structure

Project		FY18	FY19	FY20	FY21	FY22	FY23	Future
Totals: CIP		\$89.6	\$0.74	\$1.2	\$9.1	\$11.4	\$14.1	\$48.5
Totals: SCCCC		\$100.7	\$0.74	\$12.4	\$36.7	\$40.2	\$10.7	0

The CIP schedule for these projects total \$89.6 million and most of the expenditures \$48.5 million are after FY23. My proposed schedule is \$11 million greater because it adds in Singleton Road and Alamitos Drop Structure and it proposes to accelerate planning design and construction so that most of the expenditures are in FY 20 and FY 21 and the projects are completed by FY22.

My proposal also differs from the CIP Draft in that it has no "unstated fund source" and that it ascribes a major portion of the capital costs to the Water Utility:

	Water Utility	Clean Safe Creeks	Safe Clean Water Fund/Advalorum	Unstated Source	Totals
CIP	0	\$0.74	\$32	\$48.5	\$89.6
SCCCC	\$64.8	\$3.9	\$32		\$100.7

I propose to fund the above projects as follows:

Project	Water Utility	SCCCC			unstated	Totals
		CSC	SCWF			
Metcalf Ponds: SCCCC	\$26.0				\$26.0	
Ogier Ponds: SCCCC	\$4.5	\$1.4	\$27.5		\$33.4	
Almaden Lake/Alamitos Drop Structure: SCCCC	\$34.3	\$0.74			\$35.0	
Singleton: Removal and stream reconfig		\$1.8			\$1.8	
Singleton Bridge:			\$4.5		\$4.5	
Totals: SCCCC	\$64.8	\$3.9	\$32.0	\$0.0	\$100.7	

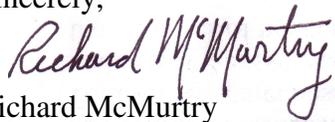
The essential change here is to charge the Water Utility for Almaden Lake/Alamitos Drop Structure, freeing up AdValorum funding for Ogier Ponds and Singleton Bridge and reinserting Singleton Road back into the CIP Schedule.

To accomplish the provision of Water Supply Funding, I propose that the Water District concur with my Water Rights Complaint in April and seek State Water Board consent item by June. By concurring with my Water Rights Complaint, all you commit to doing is a feasibility study for Alamitos Drop

Structure/Lake Almaden and developing an interim flow management plant for Guadalupe Creek and Alamos Creek.

I would also suggest figuring out a way to charge the City for some service that is normally done for free and thereby recovering costs, and perhaps developing a MOU with the City that enables the recovered costs to go back into the SCWF.

Sincerely,

A handwritten signature in black ink that reads "Richard McMurtry". The signature is written in a cursive style with a large, stylized "M" and "R".

Richard McMurtry

File No.: 18-0251

Agenda Date: 4/23/2018
Item No.: 2.1.

COMMITTEE AGENDA MEMORANDUM

Board Policy and Planning Committee

SUBJECT:

Approval of Minutes.

RECOMMENDATION:

Approve the February 26, 2018, Minutes.

SUMMARY:

A summary of Committee discussions, and details of all actions taken by the Committee, during all open and public Committee meetings, is transcribed and submitted for review and approval.

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

ATTACHMENTS:

Attachment 1: February 26, 2018, Minutes

UNCLASSIFIED MANAGER:

Michele King, 408-630-2711.

**MONDAY, February 26, 2018
11:30 AM**

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER/ROLL CALL

A meeting of the Santa Clara Valley Water District Board Policy and Planning Committee (Committee) was called to order at 11:30 a.m. on February 26, 2018, at the District Headquarters Building Board Conference Room A-124, 5700 Almaden Expressway, San Jose, California.

Board Members in attendance were: Director Nai Hsueh-District 5; Director John L. Varela-District 1; and Director Barbara Keegan-District 2 constituting a quorum.

Staff members in attendance were: Sami Buglewicz, Rick Callender, Norma Camacho, Anil Comelo, Debra Dake-Morrell, Vincent Gin, Nina Hawk, Brian Hopper, Michele King, Kristopher Puthoff, Melanie Richardson, Sue Tippets, and Tina Yoke.

2. TIME OPEN FOR PUBLIC COMMENT ON ANY ITEM NOT ON AGENDA

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

3. Approval of Minutes

3.1 Approval of Minutes – January 19, 2018 and January 22, 2018.

The Committee considered the minutes of January 19 and January 22, 2018. It was moved by Director Keegan, seconded by Director Varela, and unanimously carried to approve the January 19 and January 22, 2018 minutes as presented.

4. Old Business

4.1 Revised Encroachment Remediation Program

Ms. Melanie Richardson, Chief Operating Officer, Watersheds, and Ms. Debra Dake-Morrell, Program Administrator, reviewed the information on this item, per the attached Committee Agenda Memorandum and Attachment.

The Committee approved the draft Board memorandum and presentation on the Revised Encroachment Remediation Program, with the following revisions and/or additions:

- Strengthen the language in the memorandum on the legal, environmental, and health and safety issues that encroachments may cause

- Send notices that allow property owners more time to correct encroachment issue; avoid hard deadlines, if not necessary
- Move the Communication and Outreach slide before the Resolving Issues slide
- Include slides on the new approach and successful encroachment remediation in presentation
- Renewal of license should be at the discretion of the District and requires a full Board discussion on the terms
- The license fee should be fair market value and cost neutral to the District
- If the District doesn't have a project, the property survey should be an obligation of the property owner
- Include the potential number of licensing opportunities based on the criteria presented
- Include information on resources that will be required to manage the process, including possibly hiring an outside agency to manage

The Committee also requested that staff provide each Director with maps of the suspected encroachments (by category) within their District.

4.2 Board Policy and Planning Committee Work Plan, Meeting Schedule and Accomplishment Report

Committee Chair Hsueh reviewed the work plan, meeting schedule and accomplishment report and the Committee made no changes.

5. Clerk Review and Clarification of Committee's Requests and Recommendations

Staff to incorporate the Committee's requests and additions into the Revised Encroachment Remediation Program item for Board presentation in March.

6. Adjourn

Committee Chair Hsueh adjourned the meeting at approximately 1:30 p.m.

Michele L. King, CMC
Clerk of the Board

Approved:

File No.: 18-0249

Agenda Date: 4/23/2018

Item No.: 3.1.

COMMITTEE AGENDA MEMORANDUM

Board Policy and Planning Committee

SUBJECT:

Board Strategic Plan Outline.

RECOMMENDATION:

Review and provide feedback and direction on the Draft Board Strategic Plan Outline.

SUMMARY:

In October 2017, the Board conducted a planning session on the Fiscal Year 2018-19 Strategic Plan (Strategic Plan). At the request of the Board, the Board Policy and Planning reviewed the Board input and discussion on the Strategic Plan.

The Committee presented recommendations on the Board Priorities at the February 12, 2018 meeting. The Board accepted the Committee's recommendations and directed staff to compile information and develop a Strategic Plan that:

- Establishes GOALS (Long-Term Goals);
- Identifies strategic direction to achieve the Goals (STRATEGIES), and identifies any new or revised Board Policies; and
- Produces the annual Board Budget Priorities (PRIORITIES)

Using the Board's Priorities from FY19 (Attachment 1), staff has developed a draft Strategic Plan Outline (Attachment 2) for the Committee's review and input, to ensure that information and format is reflective of the Board's direction.

ATTACHMENTS:

Attachment 1: FY19 Board Priorities Spreadsheet

Attachment 2: Draft Strategic Plan Outline

UNCLASSIFIED MANAGER:

Michele King, 408-630-2711

BOARD PRIORITIES

	Description	FY18 Challenges and Budget Priorities	FY18 Progress	Additional Board or Committee Identified Challenges/Issues, and Strategies/Opportunities	BPPC Recommendation(s)
1	Make Key Decisions Regarding the California WaterFix	As part of the budget process, the Board has included all resources necessary to ensure that the Board is able to consider the best possible result and outcome for Silicon Valley if we are to participate in the WaterFix.	<ul style="list-style-type: none"> The District is committed to developing approaches for improving local and regional water supply reliability and meeting future demands, and is currently updating its Water Supply Master Plan to evaluate local, regional, and statewide water supply projects, including the WaterFix. Significant progress has been made in the development of the planning documents and permits for the WaterFix project. Sufficient information has been developed to support a Board decision to approve participation in the WaterFix project on October 17, 2017, subject to guiding principles. These principles include: <ul style="list-style-type: none"> Principle 1: Santa Clara County needs are the primary drivers in all our decisions involving the WaterFix project Principle 2: We will not allow Silicon Valley values and priorities to be placed at a disadvantage relative to Central Valley Agriculture or Southern California Principle 3: We are advocating for a flexible approach that addresses Silicon Valley stakeholder and community input. Principle 4: As water is a human right, we must make investments to make sure our water supply meets future needs at a cost affordable by everyone. Principle 5: Equity and costs are important. Principle 6: Any final arrangement must provide flexibility to acquire supplemental water by taking advantage of future wet years to ensure residents have a reliable water supply, no matter what extreme weather the changing climate brings. Principle 7: Keep negotiating for the best deal for Santa Clara County. 	None.	Continue as Fiscal Year 2018-2019 Board Priority.
2	Provide for a Watershed-Wide Regulatory Planning and Permitting Effort	The FY 2018 budget includes continued funding to complete planning for a watershed wide look that will assist in expediting our permitting efforts and will provide for a better collaborative approach with regulatory agencies.	<ul style="list-style-type: none"> As part of the Board's Legislative Priorities for 2018, staff is continuing to pursue legislative and administrative solutions to resolve regulatory and permitting issues at the federal and state levels. At both levels, efforts will focus on coordinating mitigation requirements, streamlining permit processes, ensuring flexibility on financial assurance mechanisms for long-term mitigation, removing permitting for routine maintenance, and requesting adequate funding for regulatory and permitting agencies to process permits. At the federal level, additional efforts will focus on expediting US Fish and Wildlife Service permit processes by imposing a requirement that if a permit is not issued within 60 days, then it is deemed approved, and exploring colocation of federal regulatory agency staff in the same building as other agency staff, which streamlines the permit review process. At the State level, additional efforts will focus on expediting 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. This approach would expedite permits by requiring permit decisions on these projects within specified time frames. 	None.	Continue as Fiscal Year 2018-2019 Board Priority. Continue assigning to CIP Committee for monitoring.
3	Foster a Coordinated Approach to Environmental Stewardship Efforts	The District is a leader in environmental stewardship. These efforts, whether they relate to the Water Utility or Watersheds activities, should be coordinated under one division to maximize their positive impact. It is understood that such a consolidation of efforts will take time to phase in, and this budget takes into consideration that effort.	<ul style="list-style-type: none"> The Fisheries and Aquatic Habitat Collaborative Effort (FAHCE) was moved into the Watersheds Area to ensure that Water Utility and Watersheds staff work together effectively to design a comprehensive water resources solution. Four new staff resources were allocated to Watersheds Design and Construction to oversee the planning, design and construction of habitat restoration projects. Staff has completed field investigations and has been working with Santa Clara County Parks staff on feasibility evaluations of Ogier Ponds. The draft feasibility study report for Ogier Ponds is expected to be presented to the Board in December 2017. Staff is requesting proposals from consultants to conduct an evaluation of fish barriers along Stevens Creek. As part of the Board's Legislative Priorities for 2018, staff is continuing to pursue legislative and administrative solutions to resolve regulatory and permitting issues at the federal and state levels, including pursuit of streamlined permit processes, requirements for permit approvals within specified time frames, potential colocation of permit reviewers with different agencies in one building, and coordinated mitigation requirements between agencies, to name a few. Together, these solutions can help advance environmental stewardship efforts District-wide, and move these projects forward faster. 	None.	Continue as Fiscal Year 2018-2019 Board Priority. Continue assigning to CIP Committee for monitoring of fish passage removal capital projects.
4	Advance the Anderson Dam Seismic Retrofit Project	<ul style="list-style-type: none"> As our largest reservoir, Anderson serves not just as a critical water supply facility, but also supports the District's mission of flood protection and environmental stewardship. Recently, the Anderson Dam Seismic Retrofit Project's scope has changed dramatically with the discovery of trace faults and other engineering issues related to the dam, which has significantly extended the estimated date for project completion. Given Anderson's critical importance to ensuring safe, clean water and flood protection for our communities and to protect public safety, it is imperative that the Anderson Dam Seismic Retrofit Project move forward proactively while ensuring that the planned project achieves all the project's objectives. 	<ul style="list-style-type: none"> The project team continues to engage with residents in Morgan Hill, CA. A project update public meeting was held on September 13, 2017; a CEQA scoping meeting will be held on November 27, 2017; and staff will provide a project update to the Morgan Hill City Council at its November 15, 2017 meeting. At the September 13, 2017 public meeting, the community was informed that the project's 30% Design and 30% Construction Sequencing Plan are both complete, the CEQA process is underway, and there are upcoming geotechnical investigations to support the 60% design. The water district continues to work closely with the State's Division of Safety of Dams and the Federal Energy Regulatory Commission. Both agencies have jurisdictional authority over the dam and reservoir, and the water district must obtain their review and approval for all project design plans. The project work and deliverables are also reviewed and guided by an independent panel of dam experts. Environmental documents will be prepared to comply with federal and state regulations, and permits will be obtained from several regulatory agencies for water diversion activities during construction, including full dewatering of the reservoir. 	None.	Continue as Fiscal Year 2018-2019 Board Priority. Continue assigning to CIP Committee for monitoring.

	Description	FY18 Challenges and Budget Priorities	FY18 Progress	Additional Board or Committee Identified Challenges/Issues, and Strategies/Opportunities	BPPC Recommendation(s)
5	Advance Recycled and Purified Water Efforts with the City of San Jose and Other Agencies	<ul style="list-style-type: none"> Given our previous direction to expedite purified water projects, and in light of the key role recycled and purified water will continue to play in the long-term sustainability of our county's water supplies, the execution of various Memoranda of Understanding (MOU) with appropriate agencies, to expand the use of non-potable and the production and use of advanced purified water, is a high priority. Key issues of land, treated wastewater quantity, and reverse osmosis (RO) concentrate management must be resolved with the City of San Jose before design and construction efforts for an expanded advanced purified water facility on Zanker Road can be pursued. In addition, it is expected that efforts to expand the use and availability of non-potable and advanced purified water with other agencies, both in north and south county, will increase in the next fiscal year. 	<ul style="list-style-type: none"> Although District and City of San Jose staff began meeting in 2015 with the purpose of developing a Memorandum of Understanding (MOU) for the expansion of purified water, and have met numerous times in 2016 and 2017, the following key terms of commitment for an MOU have not yet been resolved: <ul style="list-style-type: none"> A minimum volume of treated wastewater for purification purposes; Use of the Regional Wastewater Facility's (RWF) outfall for discharge of Reverse Osmosis (RO) concentrate; Adequate land area for expansion of advanced water purification facilities adjacent to the existing Silicon Valley Advanced Water Purification Center At the 10/10/17 board meeting, the board determined that it would prefer to exercise financial flexibility by moving forward with a Public-Private Partnership (P3) program delivery approach. The private financing for the design, construction, and operation of the Expedited Purified Water facilities will help manage the water rate increases in the near-term. This is the first time the district is embarking on this alternative method of project delivery. As a result, there is still much work to be done to develop a contract that is robust and comprehensive to protect the rate-payers' interests. While the Board has confidence in staff's operation and maintenance of the existing Silicon Valley Advanced Water Purification Center (SVAWPC), the P3 approach offers cost certainty due to a transfer of risks associated with constructing and operating an expanded facility. The Board continues to have confidence in staff's ability to operate the SVAWPC and the decision should not be construed as an indication to outsource this work. 	<ul style="list-style-type: none"> Resolve issues with City of San Jose regarding Expedited Recycled Purified Water Program MOU, including escalating concerns to elected officials level if necessary Engage with all cities within the county on Expedited Recycled Purified Water Program to determine county-wide interest and prioritization Develop multi-media communications campaign and engage groups and public on potable reuse public outreach Track DPR regulations and decide whether/how to implement DPR Project Identify trigger points to facilitate selection of potable reuse projects 	<p>Continue as 2018-2019 Board Priority. Continuing assigning to Recycled Water Committee for monitoring and strategy development.</p> <p>Include discussion on upcoming joint City Council/District Board meeting agendas. Include communication strategy on the regular Communications update to the Board.</p>
6	Finalize the Fisheries and Aquatic Habitat Collaborative Effort (FAHCE)	<p>For almost 20 years, the District has been working to resolve a water rights complaint surrounding fish, wildlife, water quality, and other beneficial uses in Coyote Creek, the Guadalupe River, and Stevens Creek. We understand that the sheer scope of the actions involved in the resolution of the complaint — including filing water rights change petitions, preparing a Fish Habitat Restoration Plan and Environmental Impact Report and obtaining federal and state permits from several regulatory agencies — is large, but we believe that an adequately funded multi-disciplinary team can complete the planning, permitting, and other actions necessary to finalize resolution of the complaint.</p>	<ul style="list-style-type: none"> The water supply and biological models are being developed and staff has received the initial results. Staff is analyzing the models and correcting for any issues. Staff is developing a community outreach plan to improve communications with environmental groups and to ensure a wide variety of representation when receiving feedback on this priority. The Board continues to be involved in these discussions and receives regular updates. Staff has met with the State Water Resources Control Board's Division of Water Rights to discuss the District's water right petitions. 	<p>None.</p>	<p>Continue as 2018-2019 Board Priority. Continuing assigning to FAHCE Ad Hoc Committee for monitoring and strategy development.</p>
7	Actively Pursue Efforts to Increase Water Storage Opportunities	<p>Water storage capacity is an important tool for the District for capturing lower-value water for higher-value uses later. Such storage aids water supply, flood protection, and recreational uses and helps regulate downstream water quality and supply cold water flows for fish. As such, water storage is important for both human and environmental objectives and must fit within a large and diverse water and environmental portfolio.</p>	<ul style="list-style-type: none"> In 2014, state voters approved Proposition 1, which included \$2.7B for additional storage. Twelve (12) funding applications have been submitted, requesting nearly \$5.8B. The District is either the lead, or is participating in three of the funding applications, including: <ul style="list-style-type: none"> Pacheco Reservoir Expansion Project (District is the lead): <ul style="list-style-type: none"> Expand reservoir capacity of approximately 6,000 AF to 140,000 AF Total capital cost of \$969M Requested \$484.5M from state (Prop 1 funding) Expanding Pacheco Reservoir would provide water quality benefits, operational flexibility, emergency storage, flood protection, and ecosystem benefits. Sites Reservoir (District is a participating agency): <ul style="list-style-type: none"> Reservoir capacity of 1.8 MAF Total capital cost of \$5.176B Requested \$1.662B from the state (Prop 1 funding) Lead by Sites Project Joint Powers Authority, a consortium of local water districts and governments in the Colusa and Glenn County area. Potential benefits to the District include additional water supply and the ability to store or bank surplus water Los Vaqueros Expansion Project (District is a participating agency): <ul style="list-style-type: none"> Expand reservoir from 160,000 AF to 275,000 AF Project also includes adding a new pipeline connecting Contra Costa Water District's (CCWD) distribution system to the California Aqueduct Total capital cost of \$795M Requested \$434M from state (Prop 1 funding) CCWD is the lead, other potential partners include U.S. Bureau of Reclamation, East Bay Municipal Utility District, San Francisco Public Utilities Commission, Alameda County Water District, Zone 7, Bay Area Water Supply and Conservation Agency, San Luis Delta Mendota Water Authority, East Contra Costa Irrigation District, Byron Bethany Irrigation District, and the City of Brentwood. Potential benefits for the District include: <ul style="list-style-type: none"> Increased water supply by capture of surplus Delta water. Banked State Water Project (SWP) and Central Valley Project (CVP) water during wet years for future dry year use. Alternate route for transmitting North of Delta water supplies to the District during periods when State Water Project and Central Valley Project exports are restricted by regulatory requirements. 	<ul style="list-style-type: none"> Seek/secure additional funding sources. Evaluate staff resources needed to successfully implement Board decisions. 	<p>Continue as FY2018-2019 Board Priority. Continuing assigning to Pacheco Reservoir Ad Hoc Committee.</p> <p>CONSIDER Renaming Committee to "Water Storage Exploratory Committee," and expanding Committee scope to, "Receive and discuss information on issues related to additional waters storage options."</p>

	Description	FY18 Challenges and Budget Priorities	FY18 Progress	Additional Board or Committee Identified Challenges/Issues, and Strategies/Opportunities	BPPC Recommendation(s)
8	Advance Diversity and Inclusion Efforts	<p>We can't succeed without diversity in our ranks. By investing in diversity and inclusion, our employees feel respected and valued for who they are, therefore enabling them to bring far more of themselves to their jobs because they are required to suppress far less in order to better address the needs of the people of the Santa Clara County. Diversity and Inclusion efforts foster a pipeline for the development of our future workforce. These efforts include support for Science, Technology, Engineering and Math (STEM) programs, internship programs, our educational work with high schools and the Youth Stewardship Commission, all of which serve as an incubator for talent. The budget includes resources to continue ongoing programs and enhanced levels of resources, if necessary, for development of future workforce.</p>	<ul style="list-style-type: none"> This D&I program has recruited staff to participate in the SPARK mentorship program. This after-school mentoring program is designed to expose seventh grade students from underserved areas of the Santa Clara County to what is possible in their lives and careers. The District is the first public sector partner of this program in the South Bay and aims to expose students to the possibility of a career in public service generally, and in the water industry specifically. Twenty District employees have volunteered their time to mentor and serve as role models for students with a two-fold mission – first to provide a service to the community, and second to build a diverse early pipeline of potential Water District employees. On August 3rd District staff participated in the Bay Area/Silicon Valley Bilingual & Diversity Professional Job Fair. Approximately 113 attendees visited the District's booth to inquire about career opportunities. Recruiting for and having a diverse workforce is extremely important to the Water District as diversity in the workforce directly correlates with innovation, efficiency and production. On October 5, the District hosted the Black Leadership Kitchen Cabinet which is an organization of concerned community leaders who address societal issues impacting the African American community in the Silicon Valley. CEO Norma Camacho was the keynote speaker and addressed diversity in hiring, grants, and procurement. Maintaining strong relations with diverse and influential communities is imperative in the District's ability to carry out its mission. The Diversity & Inclusion Program continues to execute impactful diversity programming for the benefit of internal employees. In recent months, the D&I Program has screened 13th, a documentary on the prison industrial complex and how it has adversely impacted the black community in the United States and Food Chains which is about the farm workers battles in Florida. The D&I Program uses film as a universal medium that can bring about empathy in a powerful way. The Program has recently supported Employee Resource Groups with Hispanic Heritage Month and Disability Awareness Events and hurricane disaster relief drives. These initiatives encourage employees to collaborate cooperatively with each other for the betterment of our collective work quality. 	<ul style="list-style-type: none"> We're lacking in reports on our performance on recruitment and personnel, promotions, statistics. Look at best practices of having Diversity & Inclusion review composition of interview panels. We should benchmark with best Diversity & Inclusion (we're doing better than most but can always improve) We need to invest in education pathways to equip the future workforce to qualify for jobs at the district; help expand the pool. 	<p>Continue as FY2018-2019 Board Priority. Include subject discussion/reporting of Board-identified issues on Board Performance Monitoring Calendar.</p> <p>CONSIDER Establishing a Diversity and Inclusion Ad Hoc Committee to work on Board and Director identified issues. Include as a starting point, interviewing each Director to gather issues/concerns to be addressed.</p>
9	Ensure Immediate Emergency Action Plans and Flood Protection are Provided for Coyote Creek	<p>With the recent President's Day flood event on Coyote Creek, the budget includes all items necessary to address the vulnerabilities encountered during this event. This budget allows for the review of our Security and Emergency Operations Unit's resources to ensure that we have adequate funding and staffing to accomplish this important work. This budget moves forward the preparing of a joint Emergency Action Plan with the City of San Jose for Coyote Creek. This includes clear and practical thresholds that allow adequate response time and written actions that are agreed upon between all parties when a key threshold is imminent. In addition, this budget moves forward the mid Coyote project in FY 2018. While the ultimate project may not be possible prior to construction of Anderson Dam retrofits, the Board would like to see an intermediate project that provides protection to some of the most vulnerable communities move forward as soon as possible.</p>	<p>Emergency Action Planning (EAP):</p> <ul style="list-style-type: none"> Emergency Action Planning (EAP): One of the main lessons learned from this past winter was that the development of a detailed and fully operational joint District/City of San Jose EAP is essential for future emergency events on Coyote Creek. A detailed update on the development of this EAP was presented to the Board at its August 22, 2017 meeting. <p>Anderson Dam operation as a short-term flood risk reduction option for Coyote Creek:</p> <ul style="list-style-type: none"> The pump-over option would use a pumping system to increase the District's ability to release incoming flows to Anderson Reservoir over the spillway, and thereby retain more storage volume for potential extreme events at a significantly increased cost and risk to the facility. The alternative to pump-over would be to operate the reservoir at a reduced storage level. The reduced reservoir storage option would generally lower the operation rule curve and increase the available flood storage volume behind the dam during the winter season reducing the potential for exceeding the dam's seismic restriction and reducing the risk of flooding downstream. Both options would reduce the risk of flooding for the downstream communities. If there is a below average rainfall year, the reduced reservoir storage could result in reduction of water supply, water supply reliability, and cold water releases to Coyote Creek for fisheries, but it is immediately implementable. Given the current water supply conditions, it is recommended that staff be directed to operate the Anderson Reservoir system through the winter of 2017/2018 following the 40% exceedance rule curve to reduce the probability of exceeding the dam's seismic restriction, reduce the risk of flooding along Coyote Creek and provide adequate water supply while balancing other beneficial uses. 	<ul style="list-style-type: none"> Increase awareness of property where the District does not have property rights and manage expectations/awareness of owners. Emergency action planning for Coyote Creek should be expanded to include other hotspots in the county. 	<p>Continue as Fiscal Year 2018-2019 Board Priority.</p> <p>Staff to develop communication protocols for communications within District-indentec creek hot spots.</p> <p>Continuing assigning policy review of maintenance role/responsibility for District-Owned and Non-District Owned improved/natural creeks and creekside land to the BPPC.</p>

Strategic Plan Outline - DRAFT

- I. Letter from Board Chair
- II. Intro/About Santa Clara Valley Water District
 - a. History
 - b. About Directors and District Maps
- III. Purpose of Strategic Plan
 - a. Mission of Water District
 - b. Values Statement
 - c. About Board Priorities and alignment with Budget
 - d. Description of strategic plan will achieve
 - i. Raise public awareness
 - ii. Ensure adequate resource allocation
 - e. Glossary of terms (Goal, objection, board direction, etc.)
- IV. Strategic Plan

Goal 1 (GP-2.1): Current and future water supply for municipalities, industries, agriculture, and the environment is reliable
Objective: Protect, maintain, and develop local surface water.
1. Board Directive: Advance the Anderson Dam Seismic Retrofit Project
Challenge/Opportunity: As the District’s largest reservoir, Anderson serves not just as a critical water supply facility, but also supports the District’s mission of flood protection and environmental stewardship. Recently, the Anderson Dam Seismic Retrofit Project’s scope has changed dramatically with the discovery of trace faults and other engineering issues related to the dam, which has significantly extended the estimated date for project completion.
Given Anderson’s critical importance to ensuring safe, clean water and flood protection for our communities and to protect public safety, it is imperative that the Anderson Dam Seismic Retrofit Project move forward proactively while ensuring that the planned project achieves all the project’s objectives.
Solution(s): Continue monitoring status of project through the Capital Improvement Program Committee
2. Board Directive: Finalize the Fisheries and Aquatic Habitat Collaborative Effort (FAHCE)
Challenge/Opportunity:
Solution(s):
3. Board Directive: Actively Pursue Efforts to Increase Water Storage Opportunities
Challenge/Opportunity:
Solution(s):
Objective: Protect, maintain, and develop imported water.
4. Board Directive: Make key decisions regarding the California WaterFix.
Challenge/Opportunity:
Solution(s):
Objective: Protect, maintain, and develop recycled water.

5. Board Directive: Advance Recycled and Purified Water Efforts with the City of San Jose and Other Agencies.
Challenge/Opportunity:
Solution(s):
Goal 2 (GP-3.1): Provide natural flood protection for residents, businesses, and visitors.
Objective: Preserve flood conveyance capacity and structural integrity of stream banks, while minimizing impacts on the environment and protecting habitat values.
6. Board Directive: Provide for a Watershed-Wide Regulatory Planning and Permitting Effort
Challenge/Opportunity:
Solution(s):
Goal 3 (GP-3.2): Reduce potential for flood damages.
Objective: Prepare and respond effectively to flood emergencies countywide to protect life and property.
7. Board Directive: Ensure immediate emergency action plans and flood protection are provided for Coyote Creek
Challenge/Opportunity:
Solution(s):
Goal 4 (GP-4.1): Protect and restore creek, bay, and other aquatic ecosystems.
Objective: Preserve creeks, bay, and ecosystems through environmental stewardship.
8. Board Directive: Foster a coordinated approach to environmental stewardship efforts
Challenge/Opportunity:
Solution(s):
Goal 5: The Board and the Board Appointed Officers shall promote practices, activities, decisions, and organizational circumstances that are lawful and supportive of commonly accepted business and professional ethics. The BAOs shall foster the organization's credibility in ways that enhance the accomplishment of its mission. The Board and the Board Appointed Officers shall operate consistently with the District Values Statement.
Objective: The BAOs shall promote conditions that ensure a work environment that is diverse and inclusive, free of discrimination and harassment, and that provides equal opportunity employment.
9. Board Directive: Advance Diversity and Inclusion Efforts
Challenge/Opportunity:
Solution(s):

File No.: 18-0250

Agenda Date: 4/23/2018

Item No.: 3.2.

COMMITTEE AGENDA MEMORANDUM

Board Policy and Planning Committee

SUBJECT:

Board Performance Measures and Report.

RECOMMENDATION:

- A. Review the 2017 Board Performance Measures and Report and identify areas where revisions and/or additions can be made to better reflect outcomes of the Board's work; and
- B. Identify possible stretch goals of the Board that can be incorporated into future Board Performance Reports.

SUMMARY:

At the March 27, 2018, meeting, the Board asked the Board Policy and Planning Committee to review the current Board Performance Measures and Report and identify areas that can be revised to better reflect the outcomes of the Board's work; and to identify possible stretch goals that can be incorporated into future performance reports.

Attached for information is the 2017 Annual Board Performance Report (Attachment 1); 2017 Performance Measure Results Detail (Attachment 2); and comments from Mr. Doug Muirhead on the 3/27/18 Board Performance item (Attachment 3).

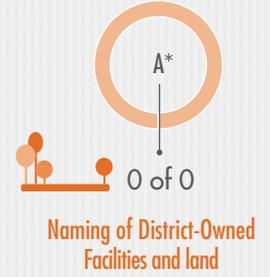
ATTACHMENTS:

- Attachment 1: 2017 Annual Board Performance Report
- Attachment 2: 2017 Performance Measure Results Detail
- Attachment 3: Mr. Muirhead's Comments

UNCLASSIFIED MANAGER:

Michele King, 408-630-2711.

OVERVIEW OF BOARD'S ANNUAL PERFORMANCE



I. Governance, Transparency and Conduct	
Indicator	Measure
1 Education Number, nature, and scope of continuing education, undertaken individually and collectively, on issues relevant to the district to improve board performance and increase governance skills and understanding	A. Percent of board-attended meetings, events, and conferences attended to improve board performance and increase governance skills and understanding. 100% Target = 100% (≥ 80 per board member, per year)
2 Attendance Board member attendance	A. Percent of board meeting attendance, not including excused absences. 100% Target ≥ 95%
	B. Percent of Board Standing and Ad Hoc Committee meeting attendance (excluding advisory committees), not including excused absences. 100% Target ≥ 95%
	C. Percent of board advisory committee meeting attendance, not including excused absences. 100% Target ≥ 90%
3 Review Review board's performance in open session annually, no later than March 31	A. Conduct annual board performance review by March 31 for the previous calendar year. YES Target = Yes
	B. Conduct annual mid-year review of board performance by September 30. NO Target = Yes

BOARD GOVERNANCE POLICIES AND PERFORMANCE

The board's governance policies provide for fiduciary oversight, transparency, and accountability to further organizational stewardship, which contributes both to the effectiveness of the organization and to the trust that is placed in it by stakeholders and the public it serves.

These governance policies provide the basis for the board's performance monitoring framework, which was established in 2013, and annually reviewed during open, public meetings of the board. Specifically, the expectation that the board will monitor its performance against its own policies is defined by Governance Process Policy 2.7:

"The board will monitor the board's process and performance. Self-monitoring will include comparison of board activity and discipline to policies in the Governance Process and Board-BAO Linkage categories."

Enclosed in this report are the results of the board's review of its own performance for calendar year 2017.

A* No board action taken in 2016 (0 of 0)

2017 Annual Board Performance Report

<p>4 Employment</p> <p>Comply with board ban on seeking/accepting compensated employment with the district while serving on board and for one year after serving on board</p>	<p>A. Number of attempts to seek or accept compensated employment. <i>Target = Zero</i></p> <p>0</p>	<p>9 Conduct</p> <p>Comply with board member code of conduct, including limits on exercise of individual authority over organization</p>	<p>A. Board members adhere to Code of Conduct, and follow proper procedure identified in GP-6 to report and investigate complaint(s) filed by a Board Member alleging Director misconduct or failure to act in the best interests of the District. <i>Target = Yes</i></p> <p>YES</p>
<p>5 Reserves</p> <p>Review financial reserves at the same time and place that budget is publicly reviewed, including an overview of and rationale for its reserve management policy, and receive public comments before acting on the budget</p>	<p>A. Conduct annual board budget work study sessions prior to budget adoption. <i>Target = Yes</i></p> <p>YES</p> <p>B. Board budget development update sessions include a review of financial reserves, a rationale for reserve management policy (sustainable and minimum reserves), and time for public comment. <i>Target = Yes</i></p> <p>YES</p>	<p>10 Committees</p> <p>Establish clear expectations and purposes for board committees in order not to conflict with authority delegated to BAOs</p>	<p>A. Percent of board committees that have a formalized purpose and scope. <i>Target = 100%</i></p> <p>100%</p> <p>B. Percent of standing board committees that have an annual work plan. <i>Target = 100%</i></p> <p>100%</p>
<p>6 Lobbying</p> <p>Comply with district's lobbying ordinance provision requiring Directors' disclosure of contact with lobbyists prior to voting on matters related to the contact (Ord. No.10-01, Sec. 8)</p>	<p>A. Number of lobbying contacts by board members that resulted in admonition, censure, sanction, or referral to District Attorney. <i>Target = Zero</i></p> <p>0</p>	<p>11 Transparency</p> <p>Conduct organizational transparency audit through a third party, periodically</p>	<p>A. Conduct third party transparency audit, periodically. <i>Target = Yes</i></p> <p>YES</p>
<p>7 Meetings</p> <p>Conduct all board and committee meetings (including those composed of less than a quorum of the board) in accordance with the District Act and Brown Act (California Open Meetings Law)</p>	<p>A. Percent of board meetings in accordance with the District Act and the Brown Act. <i>Target = 100%</i></p> <p>100%</p> <p>B. Percent of board committee meetings in accordance with the Brown Act. <i>Target = 100%</i></p> <p>100%</p>	<p>12 Monitoring</p> <p>Secure outside monitoring assistance as necessary, including for fiscal audit, to assure governing with excellence</p>	<p>A. Conduct annual board-commissioned audit planning. <i>Target = Yes</i></p> <p>YES</p> <p>B. Percent of board-commissioned audits completed, or underway as scheduled, as identified in the multi-year audit plan. <i>Target ≥ 90%</i></p> <p>100%</p> <p>C. Percent of required financial audits reviewed. <i>Target = 100%</i></p> <p>100%</p>
<p>8 Loyalty</p> <p>Members must have loyalty to the district and community and not be conflicted by loyalties to staff, other organizations or any personal interest</p>	<p>A. Percent of board members that comply with state mandated training requirement on ethics in public service for public officials in California. <i>Target = 100%</i></p> <p>100%</p> <p>B. Percent of board members that timely file CA Form 700. <i>Target = 100%</i></p> <p>100%</p>	<p>13 Expenses</p> <p>Implementation of Board-directed audit recommendations identified through internal and external audits</p>	<p>A. Applicable Board-directed audit recommendations are implemented according to plan. <i>Target = 100%</i></p> <p>100%</p>
<p>14 Expenses</p> <p>Review individual and collective board member expenses in open session quarterly, and make a determination whether reimbursements comply with board reimbursement policies</p>	<p>A. Percent of quarterly board member expense reports reviewed by the board. <i>Target = 100%</i></p> <p>100%</p> <p>B. Number of board member reimbursements that do not comply with board reimbursement policies. <i>Target = Zero</i></p> <p>0</p>	<p>14 Expenses</p> <p>Review individual and collective board member expenses in open session quarterly, and make a determination whether reimbursements comply with board reimbursement policies</p>	<p>A. Percent of quarterly board member expense reports reviewed by the board. <i>Target = 100%</i></p> <p>100%</p> <p>B. Number of board member reimbursements that do not comply with board reimbursement policies. <i>Target = Zero</i></p> <p>0</p>

2017 Annual Board Performance Report

15
Compensation
 Conduct board compensation adjustments in open session, annually

A. Percent of board compensation adjustments discussed in open session, following the standard board agenda process. **100%**
Target = 100%

16
EEO / D&I
 Demonstrate actions and behaviors as a board member in alignment with board commitment to Equal Employment Opportunity, diversity and inclusion

A. Number of board members that demonstrated actions and behaviors not in alignment with GP-11 that resulted in admonition, censure, sanction, or referral to District Attorney. **0**
Target = Zero

B. Percent of board members that comply with state mandated training requirement on sexual harassment prevention for public officials in California. **100%**
Target = 100%

20
Community
 Conduct review of board linkage with community, including board member service on external committees

A. Conduct review of board linkage with community by annually reviewing proposed board member representation on external committees to determine if that representation serves in the best interest of the district. **YES**
Target = Yes

21
Outreach
 Use outreach mechanisms that enhance board ability to listen to a broad range of viewpoints and values

A. Percent of board meetings that provide an opportunity for public comment. **100%**
Target = 100%

II. Linkage with the Community

Indicator	Measure
17 Budget Provide at least three opportunities for public input on development of operating budget (e.g., second pass budget, third pass budget, budget work study sessions)	A. Number of opportunities for public input in development of the annual operating budget. 4 <i>Target ≥ 3</i>

18 CIP Provide at least two opportunities for public input into development of capital budget (e.g., draft CIP, and final CIP)	A. Number of opportunities for public input in development of the Capital Improvement Program, annually. 5 <i>Target ≥ 2</i>
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19 Correspondence Respond timely to correspondence received by the board from the public	A. Percent of board correspondence responded to within 14 calendar days of receipt, or in situations where it is not possible for the BAOs to respond completely to an inquiry, responses sent to originators, acknowledging receipt of the inquiry and an explanation of actions being taken and timelines for preparing the complete response is acceptable for complying with this 14 day response time. 98% <i>Target ≥ 90%</i>
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III. Policy Setting

Indicator	Measure
22 Policy Input Provide opportunities for public input in policy related Board and Committee actions	A. The public is given opportunity to provide input in Board and Committee policy related actions. YES <i>Target = Yes</i>

23 Policies Initiate, produce, and maintain broad written policies that address each category of organizational decision, with a major policy focus on intended results, not on the administrative or programmatic means of attaining those effects	A. Board has adopted Board Governance Policies that include four categories: Governance Process, Board Appointed Officer Linkage, Ends, and Executive Limitations. YES <i>Target = Yes</i>
	B. Board and BAOs regularly review and the Board adopts new or revised Board Governance Policies. YES <i>Target = Yes</i>

2017 Annual Board Performance Report

Adopt Budget

24
Adopt district capital and operating budget no later than June 15

A. Adopt district capital and operating budget no later than June 15. *Target = Yes*

YES

Water Rates

25
Adopt water rate adjustments annually no later than June 1 and review for mid year water rate adjustment no later than December 15

A. Adopt water rate adjustments annually no later than June 1. *Target = Yes*

YES

B. Review for mid year water rate adjustment no later than December 15. *Target = Yes*

YES

Planning

26
Adopt Board Policy Planning and Performance Monitoring Calendars for the upcoming fiscal year by the end of June

A. Adopt Board Policy Planning and Performance Monitoring Calendars for the upcoming fiscal year by the end of June. *Target = Yes*

YES

Planning

27
Conduct reviews of the Board Policy Planning and Performance Monitoring Calendars when determined necessary by the Board

A. Conduct at least quarterly reviews of the Board Policy Planning and Performance Monitoring Calendars. *Target = Yes*

YES

IV. Monitor and Review BAO Performance			
Indicator	Measure		
BAO Review	28 Conduct BAO performance reviews no less than twice per year (mid-year by end of April, annual by end of September), and conduct annual salary adjustment in open session at a regular meeting in accordance with BAO Performance Evaluation procedure	A. Conduct mid-year BAO performance reviews by end of April. <i>Target = Yes</i>	NO
		B. Conduct annual BAO performance reviews by end of September. <i>Target = Yes</i>	YES
		C. Conduct annual BAO salary adjustment in open session, at a regular board meeting. <i>Target = Yes</i>	YES

V. Naming of District-Owned Facilities and Land			
Indicator	Measure		
Naming	29 Approve or deny nominations to name or rename district-owned land, facilities and amenities in accordance with the naming procedure	A. Naming actions were approved or denied in accordance with the naming procedure. <i>Target = Yes</i>	A*

A* No board action taken in 2017

Performance targets are based on legal requirements, timeframes, and direction established by the Board in its Board Governance Policies. Presented below in Table 1 are the results and details for the Board performance measures and targets the Board adopted.

TABLE 1

#	Measure	Target	2017 Result	Detail
I. Governance, Transparency and Conduct				
1A	Percent of board-attended meetings, events, and conferences attended to improve board performance and increase governance skills and understanding. Baseline target = 80 per board member, per year (560).	100%	100%	Board members attended 799 meetings, events and conferences in 2017
2A	Percent of board meeting attendance, not including excused absences.	95% or higher	100%	301 of 301 member attendance at 44 Board meetings in 2017
2B	Percent of Board Standing and Ad Hoc Committee meeting attendance (excluding advisory committees), not including excused absences.	95% or higher	100%	214 of 214 member attendance at 57 Board Standing and Ad Hoc Committee meetings in 2017
2C	Percent of board advisory committee meeting attendance, not including excused absences.	90% or higher	100%	36 of 36 member attendance at 12 Board Advisory Committee meetings in 2017
3A	Conduct annual board performance review by March 31 for the previous calendar year	Yes	Yes	Annual Board performance review scheduled for March 13, 2018
3B	Conduct annual mid-year review of board performance by September 30.	Yes	No	Mid-year review conducted on October 24, 2017
4A	Number of attempts to seek or accept compensated employment.	Zero	Zero	No attempts to seek compensated employment.

TABLE 1

#	Measure	Target	2017 Result	Detail
5A	Conduct annual board budget work study sessions prior to budget adoption.	Yes	Yes	Dates of Sessions: 2/14/17 4/11/17 4/26/17 5/9/17
5B	Board budget development update sessions include a review of financial reserves, a rationale for reserve management policy (sustainable and minimum reserves), and time for public comment.	Yes	Yes	Date of Session: 4/26/17
6A	Number of lobbying contacts by board members that resulted in admonition, censure, sanction, or referral to District Attorney.	Zero	Zero	There were no lobbying contacts that resulted in admonition, censure, sanction, or referral to District Attorney
7A	Percent of Board meetings in accordance with the District Act and the Brown Act.	100%	100%	44 of 44 Board meetings were in compliance with the District Act and Brown Act
7B	Percent of Board committee meetings in accordance with the Brown Act.	100%	100%	69 of 69 Board committee meetings were in compliance with the Brown Act
8A	Percent of board members that comply with state mandated training requirement on ethics in public service for public officials in California.	100%	100%	7 of 7 Board Members in compliance
8B	Percent of Board members that timely file CA Form 700.	100%	100%	7 of 7 Board Members timely filed CA Form 700
9A	Board members adhere to Code of Conduct, and follow proper procedure identified in GP-6 to report and investigate compliant(s) filed by a Board Member alleging Director misconduct or failure to act in the best interests of the District.	Yes	Yes	Board members adhered to the Code of Conduct

TABLE 1

#	Measure	Target	2017 Result	Detail
10A	Percent of Board Committees that have a formalized purpose and scope.	100%	100%	16 of 16 Board Committees have a formalized purpose and scope
10B	Percent of Standing Board Committees that have an annual work plan.	100%	100%	10 of 10 Board Standing Committees have an annual work plan
11A	Conduct third party transparency audit, periodically.	Conducted Periodically	Yes	Date of Last Transparency Audit (Date Final Report is completed by third party): 11/05/14
12A	Conduct annual Board-commissioned audit planning.	Yes	Yes	<p>On September 12, 2017, the Board's independent auditor, TAP International (TAP), presented a Draft Risk Assessment Model to the Board. The Board directed TAP to clarify the model further and include additional items to the proposed list of Risk Assessments.</p> <p>On September 28, 2017, the Board Audit Committee (BAC) directed TAP to incorporate the Board's 9/12/17 comments and return to the next scheduled meeting with a revised list of Risk Assessments and Activity Areas.</p> <p>On November 30, 2017, TAP presented the revised list of Risk Assessments to be conducted and the modified list of Activity Areas for BAC approval. After further discussion, BAC requested TAP to add Safety and Transparency to the risk assessment Activity Areas. The BAC also directed TAP to return to the January 23, 2018 Board meeting to present the updated list of Risk Assessments and Activity Areas for approval by the Board.</p>

12B	Percent of Board-commissioned audits completed, or underway as scheduled, as identified in the multi-year audit plan.	90%	100% (2 of 2)	<p>One audit has been completed and one is underway.</p> <p>On December 6, 2017, the Safe, Clean Water Year 3 Audit was presented to the Independent Monitoring Committee (IMC). IMC members reviewed and accepted the Safe Clean Water Year 3 Audit results.</p> <p>On September 28, 2017, PMA Consultants (PMA) presented the Final Draft Lower Silver Creek Flood Protection Project Performance Audit results to the Board Audit Committee (BAC). Based on the findings, BAC suggested expanding the scope of services to include a financial review and review of media allegations. On November 30, 2017, the BAC reviewed the proposed expanded scope of services and suggested modifications. A proposed, expanded scope of services will be presented to the Board in February 2018.</p>
12C	Percent of required financial audits reviewed.	100%	100%	The 4 audits planned for the remainder of calendar year 2017 were completed as scheduled.
13A	Applicable Board-directed audit recommendations are implemented according to plan.	100%	100%	<p>At the September 28, 2017, Board Audit Committee (BAC) meeting, staff presented the draft management responses to the seven (7) Lower Silver Creek RMC audit recommendations. The BAC reviewed the management responses and directed a revised response to Audit Recommendation 7 and to present the revision to the BAC at its next meeting.</p> <p>At the November 30, 2017, BAC meeting, staff presented a revised management response to Audit Recommendation 7 and no BAC concerns were raised or further action required.</p>
14A	Percent of quarterly Board member expense reports reviewed by the Board.	100%	100%	4 of 4 quarterly expense reports reviewed by the Board

14B	Number of Board member reimbursements that do not comply with Board reimbursement policies.	Zero	Zero	Zero reimbursements that did not comply with Board reimbursement policies
15A	Percent of Board compensation adjustments discussed in open session, following the standard Board agenda process.	100%	100%	Board Compensation adjust for 2018 discussed in open session on 12/12/17 – Public Hearing held 1/23/18
16A	Number of Board members that demonstrated actions and behaviors not in alignment with GP-11 that resulted in admonition, censure, sanction, or referral to District Attorney.	Zero	Zero	Zero admonitions, censures, sanctions, or District Attorney referrals
16B	Percent of Board Members that comply with state mandated training requirement on sexual harassment prevention for public officials in California.	100%	100%	7 of 7 Board members in compliance with state mandated training
II. Linkage with the Community				
17A	Number of opportunities for public input in development of the annual Operating Budget.	3	4	Board Date #1: 2/14/17 Board Date #2: 4/11/17 Board Date #3: 4/26/17 Board Date #4: 5/09/17
18A	Number of opportunities for public input in development of the Capital Improvement Program, annually.	2	4	Board Date #1: 1/10/17 Board Date #2: 2/28/17 Board Date #3: 4/25/17 Board Date #4: 4/26/17 Board Date #5: 5/09/17

19A	Percent of board correspondence responded to within 14 calendar days of receipt, or in situations where it is not possible for the BAOs to respond completely to an inquiry, responses sent to originators, acknowledging receipt of the inquiry and an explanation of actions being taken and timelines for preparing the complete response is acceptable for complying with this 14-day response time.	90%	98%	445 of 454 correspondence responded to within 14 calendar days of receipt
20A	Conduct review of board linkage with community by annually reviewing proposed board member representation on external committees to determine if that representation serves in the best interest of the district.	Yes	Yes	Date of Review: 02/14/17
21A	Percent of Board meetings that provide an opportunity for public comment.	100%	100%	44 of 44 Board meetings
III. Policy Setting				
22A	The public is given opportunity to provide input in Board and Committee policy related actions.	Yes	Yes	The public was given an opportunity to provide input on all open session Board and Committee agenda items, including policy related items.
23A	Board has adopted Board Governance Policies that include four categories: Governance Process, Board Appointed Officer Linkage, Ends, and Executive Limitations.	Yes	Yes	Board has written Board Governance Policies

23B	Board and BAOs regularly review and the Board adopts new or revised Board Governance Policies.	Yes	Yes	Board reviewed and adopted Board Governance Policy revisions on 10/24/17
24A	Adopt District Capital and Operating Budget no later than June 15th.	Yes	Yes	Date of Adoption: 5/9/17
25A	Adopt water rate adjustments annually no later than June 1.	Yes	Yes	Date of Adoption: 5/9/17
25B	Review for mid-year water rate adjustment no later than December 15.	Yes	Yes	Date of Review: 9/26/17
26A	Adopt Board Policy Planning Calendar and Performance Monitoring Calendars for the upcoming fiscal year by the end of June.	Yes	Yes	Date of Adoption: 6/27/17
27A	Conduct at least quarterly reviews of the Board Policy Planning and Performance Monitoring Calendars.	Yes	Yes	Calendars are reviewed at the second regular Board meeting every month
IV. Monitor and Review BAO Performance				
28A	Conduct mid-year BAO performance reviews by end of April.	Yes	No	No mid-year reviews were conducted
28B	Conduct annual BAO performance reviews by end of September.	Yes	Yes	Evaluations completed: 6/13/17
28C	Conduct annual BAO salary adjustment in open session, at a regular Board meeting.	Yes	Yes	Considered: 8/22/17

V. Naming of District-Owned Facilities and Land

29A	Naming actions were approved or denied in accordance with the naming procedure.	Yes	No board action taken in 2017	No naming actions in 2017
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Michele King

From: doug.muirhead@stanfordalumni.org
Sent: Monday, March 26, 2018 10:34 AM
To: Clerk of the Board
Subject: SCVWD Agenda Comment Form

Agenda Comment Form

Current Date:	03-26-2018
Name:	Doug Muirhead
Address:	
City:	Morgan Hill
State:	CA
Zip Code:	95037-5657
Telephone:	Ext:
Email Address:	doug.muirhead@stanfordalumni.org
Agency, Business or Group (if applicable):	Public
Contact:	Attention: Clerk of the Board
Board Meeting Date:	03/27/18
Board Item Number:	4.1
I would like to:	Express Opposition
Comments:	<p>That the Board conducts an Annual Self-Assessment of its Performance is admirable. But a number of categories really are nothing more than you performed some action, without any supporting quantitative or qualitative detail to show actual impact. --- II. Linkage with the Community, 17A: Number of opportunities for public input in development of the annual Operating Budget. - You identify the Board dates. You should add number of comments received for each opportunity. --- II. Linkage with the Community, 21A: Percent of Board meetings that provide an opportunity for public comment. - Unless you expect the public to disrupt the meeting and be ejected (so no public to comment), I cannot envision any Board meeting covered by the Brown Act to not provide for public comment (since oversight is provided by the Clerk of the Board and District Counsel). --- I. Governance, Transparency and Conduct - You have a significant legal exception to Transparency requirements in your closed sessions and confidential memoranda. I don't know the best way to confer the impact of these, so I will fall back on metrics: add number of closed sessions by category and add number of confidential memoranda. ---</p>

File No.: 18-0257

Agenda Date: 4/23/2018

Item No.: 4.1.

COMMITTEE AGENDA MEMORANDUM

Board Policy and Planning Committee

SUBJECT:

Pro-Active Right-of-Way Acquisition to Support One Water Objectives.

RECOMMENDATION:

Review a draft process outline for pro-active right-of-way acquisition for long-range management of water resources and provide input.

SUMMARY:

It is common practice for the District to acquire necessary right-of-way for new capital projects. The necessary rights and lands are identified, negotiations are carried out, and the right-of-way is acquired and made available for construction or operation.

The new policy being proposed would be the proactive right-of-way acquisition of land based on long-term prioritized plans. This was one of the highest rated opportunities identified by staff and stakeholders during the development of the Countywide One Water plan. Since this would be a new method to better meet the District's water resources management objectives, staff has outlined a two-step process for proactive right-of-way acquisition.

The first step of the process would be to identify and prioritize sites for potential acquisition in watershed specific plans. This first step would include developing criteria by which the District would identify and prioritize sites. Criteria could include widening right-of-way adjacent to creeks in high priority areas, taking high risk parcels out of flood plains, and improving the quality of habitat in and around creeks. Staff would seek Board Committee input on the proposed criteria. Then, staff would apply the criteria using mapping techniques and subject matter expertise to develop a list and map of prioritized sites for acquisition. The list and map would be included in watershed specific plans, for example, the Coyote Creek Watershed One Water Plan.

The second step of the process would be to acquire priority sites after they have been incorporated into watershed specific plans. Some of the considerations for the second step include budgeting, ensuring priority properties are being tracked, engaging subject matter experts when properties become available, and maintaining the list as conditions change. Staff would work with the Committee on the details of the decision-making process. Board approval would be required for any actual right-of-way acquisitions.

Having a defined process for prioritizing, communicating, and acquiring right-of-way has several benefits, including:

- Focusing limited resources in the areas of highest potential,
- Facilitating communication with land use agencies, land owners, and land conservation agencies and organizations on District priorities,
- Responding to land owner property offers,
- Working with other agencies to leverage resources, and
- Improving the District's ability to respond rapidly to emerging opportunities, including funding opportunities.

Staff will work with subject matter experts to refine the above process based on Committee input. The next report to the Committee would be proposed criteria for identifying and prioritizing sites for right-of-way acquisition.

ATTACHMENTS:

Attachment 1: One Water Information Sheet

UNCLASSIFIED MANAGER:

Vincent Gin, 408-630-2633

SANTA CLARA VALLEY WATER DISTRICT – ONE WATER PLAN

What: A 50-year roadmap for integrated water resource planning on a watershed scale in Santa Clara County

- One Water will serve as the District’s flood management plan and stream stewardship master plan. It will also identify where there is a nexus between the District’s flood protection, stream stewardship, and water supply functions. The plan will provide a framework for measuring improvements in watershed health through science-based metrics and targets.

Why:

- Identify and prioritize water resource investments across the organization’s three functions of flood protection, environmental stewardship, and water supply
- Provide information to cities and the county to inform their local land use decisions
- Form the basis for future system-wide needs assessment
- Potential to improve the process for permitting on a watershed scale

Where: Santa Clara County and its five major watershed areas

When:

- Complete One Water Framework and Coyote Watershed Plan by FY2018
- Complete One Water Plan (all five watershed plans) by FY2020

Website: www.onewaterplan.wordpress.com

Contact: onewater@valleywater.org

Supported by Board of Directors’ General Principle 1.1:

An integrated and balanced approach in managing a sustainable water supply, effective natural flood protection, and healthy watersheds is essential to prepare for the future.

One Water Objectives



Reliable Water Supply



Sustainable Groundwater



High Quality Water



Flood Risk Reduction



Expanded Floodplains

Supportive Stream Flows



Resilient Habitats



Climate Change



Emergency Preparedness



Community Engagement





ONE WATER

Countywide Framework

One Water integrates State, regional and local policies into a countywide framework for managing water resources on a watershed scale. The framework includes goals and objectives for the flood protection, stream stewardship, and water supply functions of the District.

Groundwater Management Plan

Watershed-specific Plans

Water Supply Master Plan

FAHCE Program

Master plans prioritize strategies for achieving Board policies and the goals and objectives in the One Water framework. They provide level of service goals and inform program-level plans.

Stormwater Resource Plan

Safe Clean Water Program

Asset Management Program

Urban Water Management Plan

Stream Maintenance Program

Countywide Water Reuse Master Plan

Program-level plans (examples) describe how the level of service goals in the master plans will be achieved.

Operating Projects and Programs
(e.g., Invasive Species Removal, Water Conservation Program, etc.)

Capital Projects
(e.g., South Bay Salt Ponds Restoration, Anderson Dam Seismic Retrofit, etc.)

Programs and projects implement the master plans and program level plans.

Annual Budget

Protection and Augmentation of Water Supplies

Capital Improvement Program

Financial plans implement the master plans and program-level plans through projects and programs.

File No.: 18-0252

Agenda Date: 4/23/2018

Item No.: 4.2.

COMMITTEE AGENDA MEMORANDUM

Board Policy and Planning Committee

SUBJECT:

Work Plan, Meeting Schedule and Accomplishments Report.

RECOMMENDATION:

- A. Review Work Plan and Accomplishments Report and incorporate any new tasks; and
- B. Schedule Committee meetings as appropriate.

SUMMARY:

This item allows the Committee to review its 2018 Work Plan, meeting schedule and accomplishments report and identify additional tasks and schedule meetings as appropriate.

ATTACHMENTS:

Attachment 1: 2018 BPPC Work Plan & Accomplishments Report

UNCLASSIFIED MANAGER:

Michele King, 408-630-2711.

2018 Board Policy and Planning Committee Work Plan and Schedule

Subject	Task	3/26/2018	4/23/2018	5/28/2018	6/25/2018	7/23/2018	8/27/2018	9/24/2018	10/22/2018	11/26/2018
	1 Provide ongoing support for Board Planning Calendar									
Board Planning Process	A. Review FY19 Board Policy Planning and Performance Monitoring Calendars									
	B. Discuss/Develop structure/process for Board's FY19-20 Strategic Priorities Workshop									
	C. Discuss FY19-20 Board Budget Message & Strategic Plan		X							
	2 Provide process support for Board Policy Review									
	A. Needs for developing new, or modifying existing Board Policies identified during the development of One Water Plan									
	a. Policy for proactive land acquisition for water resources management									
	b. Updated guidelines and standards for homeowners adjacent to streams (<i>ONE WATER PLAN</i>)									
	B. Policy for use of District property for trails, open space, and recreation									
	C. Policy for encroachment on District properties									
	a. Policy maintenance role/responsibility for District-Owned and Non-District-Owned unimproved/natural creeks and creekside land (<i>long-term vision and policy</i>)									
b. Policy maintenance role/responsibility for District-Owned and Non-District-Owned unimproved/natural creeks and creekside land (<i>short-term actions</i>)										
Board Committees	3 Align Board Committees' Work Plans with Board Planning Calendar									
Principles and Structures	A. Assign to Director Hsueh and COB Office to work with the Chair of the committees									
	B. Develop methodology for measuring Board Committee outcomes and success									
Board and Organization Performance	4 Assignments as directed by the Board									
	A. Board Performance Report and self-assessment		X							

Board Policy and Planning Committee Accomplishments Report

Subject	Task	Action Taken
	1 Provide ongoing support for Board Planning Calendar	
Board Planning Process	A. Review FY18 Board Policy Planning and Performance Monitoring Calendars	Board approved Committee-recommended Calendars on 6/27/17
	B. Discuss/Develop structure/process for Board's FY18-19 Strategic Priorities Workshop (Target 12/2017 Special Board Meeting)	Board held strategies workshop developed by the Committee on 10/24/17
	2 Provide process support for Board Policy Review	
	*A. Review GP-7 - Values Statement policies for work, life balance and employer of choice language.	Board approved Committee-recommended policy changes on 8/8/17
	*B. Evaluate ways to address Environmental Justice	Committee-recommended Environmental Justice Policy revisions are scheduled for Board consideration on 2/27/18
	*C. Formalize Board desire for sensitive design in a Board Policy.	Committee-recommended addition to Ends Policy (E-1.6) were approved by the Board on 10/24/17
	E. One Water Plan - Community Outreach Plan for FY18	At the 8/28/17 meeting, the Committee requested that staff provide briefings to individual Board member on the One Water Plan community outreach plan.
	*G. Discuss need for social responsibility clause in the District's Investment Policy	Committee-recommended revisions to the District's Investment Policy were approved by the Board on 12/12/17
	H. Discuss FY18-19 Board Budget Message (Target 2/13/18 Board Meeting)	Committee-recommended FY19 Budget Priorities approved by the Board on 2/13/17
	I. Discuss EL-5.4 - Sponsorship Level Increase	Committee-recommended revisions to Sponsorship level policy limits are scheduled for Board consideration on 2/27/19
Board Committees Principles and Structures	3 Align Board Committees' Work Plans with Board Planning Calendar	
	A. Assign to Director Hsueh and COB Office to work with the Chair of the committees.	Met with Chairs of each committee to review calendars and place before committees for review and incorporate subjects into workplans
Board and Organization Performance Monitoring	5 Assignments as directed by the Board	
	A. Discuss Plan & Approach for Reviewing Master Reservoir Lease with Joint Task Force	Master Reservoir Lease was discussed by Committee on 11/27/17 and 1/22/19

* Board identified task at its 10/14/16 Special Meeting

** Staff identified task.