



Santa Clara Valley Water District Diversity & Inclusion Ad Hoc Committee Meeting

Teleconference Zoom Meeting
<https://valleywater.zoom.us/j/93111833352>
Meeting ID: 931 1183 3352

REGULAR MEETING AGENDA

**Thursday, August 27, 2020
11:00 AM**

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

DIVERSITY & INCLUSION AD HOC
COMMITTEE

Nai Hsueh - District 5
Tony Estremera - District 6
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 Act.

**Santa Clara Valley Water District
Diversity & Inclusion Ad Hoc Committee**

**REGULAR MEETING
AGENDA**

Thursday, August 27, 2020

11:00 AM

Teleconference Zoom Meeting

IMPORTANT NOTICES

This meeting is being held in accordance with the Brown Act as currently in effect under the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20 issued on March 17, 2020 that allows attendance by members of the Committee, staff, and the public to participate and conduct the meeting by teleconference, videoconference, or both.

Members of the public wishing to address the Committee during a video conferenced meeting on an item not listed on the agenda, or any item listed on the agenda, should use the "Raise Hand" or "Chat" tools located in Zoom meeting link listed on the agenda. Speakers will be acknowledged by the Committee Chair in the order requests are received and granted speaking access to address the Committee.

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

This agenda has been prepared as required by the applicable laws of the State of California, including but not limited to, Government Code Sections 54950 et. seq. and has not been prepared with a view to informing an investment decision in any of Valley Water's bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in the information in this agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of Valley Water's bonds, notes or other obligations and investors and potential investors should rely only on information filed by Valley Water on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures and Valley Water's Investor Relations website, maintained on the World Wide Web at <https://emma.msrb.org/> and <https://www.valleywater.org/how-we-operate/financebudget/investor-relations>, respectively.

JOIN ZOOM MEETING

<https://valleywater.zoom.us/j/93111833352>

Meeting ID: 931 1183 3352

Dial by your location: +1 669 900 9128 US (San Jose)

One tap mobile: +16699009128,,93111833352# US (San Jose)

1. Roll Call.

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

Notice to the Public: Members of the public who wish to address the Committee on any item not listed on the agenda should access the "Raise Hand" or "Chat" tools located in Zoom meeting link listed on the agenda. Speakers will be acknowledged by the Committee Chair in order requests are received and granted speaking access to address the Committee. Speakers comments should be limited to three minutes or as set by the Chair. The law does not permit Committee action on, or extended discussion of, any item not on the agenda except under special circumstances. If Committee action is requested, the matter may be placed on a future agenda. All comments that require a response will be referred to staff for a reply in writing. The Committee may take action on any item of business appearing on the posted agenda.

3. APPROVAL OF MINUTES:

3.1. Approval of Meeting Minutes - December 18, 2019. [20-0718](#)

Recommendation: Approve the minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 121819 D&I Ad Hoc Committee Minutes](#)

4. ACTION ITEMS:

4.1. Receive a Presentation on the new Office of Racial Equity, Diversity and Inclusion (REDI), Including an Outline of the Office Structure and Expanded Goals, and Consider a Resolution Addressing Systemic Racism and Promoting Racial Equity. [20-0750](#)

Recommendation: A. Receive information and a presentation on the Office of Racial Equity, Diversity and Inclusion.
B. Recommend the Board to adopt the Resolution Addressing Systemic Racism and Promoting Racial Equity.

Manager: Marta Lugo, 408-630-2237

Attachments: [Attachment 1: Resolution](#)
[Attachment 2: ACA 5 \(Webar\)](#)
[Attachment 3: PowerPoint](#)

- 4.2. Provide update on December 18, 2019 Diversity and Inclusion Action Items and Review Future Focus. [20-0739](#)
Recommendation: Review presentation of actions items and future focus for Strategy 2 - Maintain appropriate staffing levels and expertise.
Manager: Anna Noriega, 408-630-3089
Attachments: [Attachment 1: PowerPoint](#)
[Attachment 2: Video and Outcome Report Links](#)
- 4.3. Resolution Recognizing Senator Kamala Harris as the First Woman of Color to be Selected as a Vice Presidential Candidate on a Major Political Party Ticket. [20-0778](#)
Recommendation: Recommend the Board to adopt the Resolution Recognizing Senator Kamala Harris as the First Woman of Color to be Selected as a Vice Presidential Candidate on a Major Political Party Ticket.
Manager: Marta Lugo, 408-630-2237
Attachments: [Attachment 1: Resolution](#)
- 4.4. Review 2020 Diversity & Inclusion Ad Hoc Committee Work Plan. [20-0719](#)
Recommendation: Review the 2020 Diversity & Inclusion Ad Hoc Committee Work Plan, and make adjustments as necessary.
Manager: Michele King, 408-2630-2711
Attachments: [Attachment 1: 2020 D&I Ad Hoc Committee Work Plan](#)

5. INFORMATION ITEMS:

6. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.

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

7. ADJOURN:

7.1. Adjourn.



Santa Clara Valley Water District

File No.: 20-0718

Agenda Date: 8/27/2020
Item No.: 3.1.

COMMITTEE AGENDA MEMORANDUM

Capital Improvement Program Committee

SUBJECT:

Approval of Meeting Minutes - December 18, 2019.

RECOMMENDATION:

Approve the minutes.

SUMMARY:

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

Upon Committee approval, minutes transcripts are finalized and entered into the Committee's historical record archives, and serve as the official historical record of the Committee's meeting.

ATTACHMENTS:

Attachment 1: 121819 D&I Ad Hoc Committee Minutes

UNCLASSIFIED MANAGER:

Michele King, 408-630-2711

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DIVERSITY & INCLUSION AD HOC COMMITTEE MEETING

MINUTES

WEDNESDAY, DECEMBER 18, 2019
11:00 AM

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER.

A regular meeting of the Santa Clara Valley Water District (Valley Water) Diversity and Inclusion Ad Hoc Committee (Committee) was called to order in the Valley Water Headquarters, Board Conference Room A-124, 5700 Almaden Expressway, San Jose, California at 11:00 a.m.

1.1. Roll Call.

Committee members in attendance were District 1 Director John Varela and District 5 Director Nai Hsueh, Vice Chairperson presiding, constituting a quorum of the Committee.

District 6 Director Tony Estremera arrived as noted below.

Staff members in attendance were M. Baratz, A. Cruz, F. David, N. Dominguez, D. Grissom, B. Hopper, A. Noriega, A. Saye, and N. Vye.

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

Vice 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.

Recommendation: Approve the October 30, 2019 Meeting Minutes.

The Committee considered the attached minutes of the October 30, 2019 meeting. It was moved by Director Varela, seconded by Vice Chairperson Hsueh, and carried that the minutes be approved as presented. Director Estremera was absent.

4. ACTION ITEMS

4.1. Diversity & Inclusion Update.

- Recommendation:
- A. Review and discuss updates to the Diversity & Inclusion Programs; and
 - B. Review and discuss Diversity & Inclusion Industry Standards and suggested measurements.

Ms. Angelica Cruz, Employment Services Manager, reviewed the information on this item, per the attached Committee Agenda Memo, and the corresponding presentation materials contained in Attachment 1 were reviewed by staff as follows: Mr. Frank David, Program Administrator, and Ms. Dolores Grissom, Management Analyst II, reviewed Pages 1 through 5; Ms. Natalie Vye, Program Administrator, reviewed Pages 6 through 8; Mr. Arthur Saye, Management Analyst II, reviewed Pages 9 through 11. The corresponding presentation materials contained in Attachment 2 were reviewed by staff as follows: Ms. Cruz reviewed Pages 1 through 5, and 9, Ms. Vye reviewed Page 6, Mr. Saye reviewed Page 7, and Mr. David reviewed Page 8. Suggested Program Measurements and Resources, contained in Attachment 2, Page 10, were reviewed by staff as follows: Ms. Grissom reviewed Recruitment, Ms. Cruz reviewed Diversity and Inclusion Master Plan development, Ms. Vye reviewed Wellness Program participation, and Mr. Saye reviewed Succession Planning and Retention.

During the presentation, Director Estremera arrived and assumed facilitation of the meeting.

The Committee made the following requests of staff:

- Prepare an analysis of Human Resources staffing needs to support expanding the intern and apprentice programs;
- Investigate and report on supplemental funding opportunities to support the intern and apprentice programs;
- Prepare a prioritized list of programs and initiatives regarding outreach and recruitment of veterans; and
- Revise the Diversity and Inclusion Program Update, Attachment 2, Page 5, to include information on hiring and promotions.

4.2. Recommended Ends Policy Language.

- Recommendation:
- A. Review the revised draft Ends Policy dedicated to Business Management and agree on the recommended language to present to the full Board; and
 - B. Per the Board's request, discuss modifying the Diversity and Inclusion Committee name, and make a recommendation to the full Board.

Ms. Cruz reviewed the information on this item, per the attached Committee Agenda Memo.

The Committee continued discussion of this item to a future meeting to provide staff an opportunity to better define goals and steps to achieve staffing needs.

4.3. Review Diversity and Inclusion Ad Hoc Committee Work Plan and the Committee's Next Meeting Agenda.

Recommendation: Review the Committee's Work Plan to guide the Committee's discussions regarding policy alternatives and implications for Board deliberation.

Chairperson Estremera reviewed the information on this item, per the attached Committee Agenda Memo, and the corresponding presentation materials contained in Attachment 1.

The Committee discussed moving to regular monthly meeting schedule following the Board's approval of its 2020 Board Committee Appointments.

5. REVIEW AND DISCUSS 2017 COMMITTEE WORK PLAN.

None.

6. CLERK'S REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS AND RECOMMENDATIONS.

Ms. Natalie Dominguez, Assistant Deputy Clerk II, confirmed there were no new Committee Recommendations or Requests for Board consideration, and reviewed direction to staff as follows:

In regard to Item 4.1:

- Prepare an analysis of Human Resources staffing needs to support expanding the intern and apprentice programs;
- Investigate and report on supplemental funding opportunities to support the intern and apprentice programs;
- Prepare a prioritized list of programs and initiatives regarding outreach and recruitment of veterans; and
- Revise the Diversity and Inclusion Program Update, Attachment 2, Page 5, to include information on hiring and promotions.

7. ADJOURN.

Chairperson Estremera adjourned the meeting at 12:44 p.m., to the next meeting, which will be scheduled and posted in accordance with the Brown Act.

Natalie F. Dominguez, CMC
Assistant Deputy Clerk

Approved:



Santa Clara Valley Water District

File No.: 20-0750

Agenda Date: 8/27/2020
Item No.: 4.1.

COMMITTEE AGENDA MEMORANDUM

Diversity & Inclusion Ad Hoc Committee

SUBJECT:

Receive a Presentation on the new Office of Racial Equity, Diversity and Inclusion (REDI), Including an Outline of the Office Structure and Expanded Goals, and Consider a Resolution Addressing Systemic Racism and Promoting Racial Equity.

RECOMMENDATION:

- A. Receive information and a presentation on the Office of Racial Equity, Diversity and Inclusion.
- B. Recommend the Board to adopt the Resolution Addressing Systemic Racism and Promoting Racial Equity.

SUMMARY:

In July, CEO Callender announced the creation of a new Office of Racial Equity, Diversity, and Inclusion (REDI) under the External Affairs division. The new office will include the existing Diversity and Inclusion Program, with an expanded goal to break down any organizational barriers that enable systemic racism, and instead promote a culture of racial equity. This office will ensure that racial equity, diversity and inclusion practices are all equally reflected both internally and externally to better serve all communities within Valley Water's service area.

In an effort to model best practices, staff drafted a resolution which contains solutions for consideration by the Diversity and Inclusion Ad Hoc Subcommittee and, if approved, by the Board to promote racial equity and recognize and condemn racial discrimination recently exemplified by the recent killings of George Floyd, Breonna Taylor, Ahmaud Arbery and countless others.

This resolution is consistent with Valley Water's core values and the principles used in accomplishing Valley Water's mission. Specifically, the purpose and intent of the resolution is to establish Valley Water's response to individual and systemic racism and its commitment in taking meaningful action, internally and externally, to address the impacts of acts of prejudice, abuse of power, racial bias, racism, and barriers to diversity, equity and inclusion.

The resolution will direct the CEO to work with staff to further improve racial equity, diversity and inclusion in Valley Water's culture and practices of hiring, contracting, programs and service delivery and employee support. In addition, the resolution will provide the CEO the authority to initiate a new framework and model to inform potential changes to Valley Water internal policies, procedures, and

trainings to ensure that the workplace will not tolerate acts of prejudice, abuse of power, racial bias, or racism, and sets expectations to address conscious and unconscious bias. The resolution also calls for implementation of programs consistent with the intent of Proposition 16 upon its passage and the resolution calls for the creation of an End's Policy relative to Environmental Justice.

The expanded and new REDI workplan will be developed over the next 90 days and will then be updated biannually and reported back to the Diversity and Inclusion Ad Hoc Subcommittee.

ATTACHMENTS:

Attachment 1: Resolution

Attachment 2: ACA 5 (Webar)

Attachment 3: PowerPoint

UNCLASSIFIED MANAGER:

Marta Lugo, 408-630-2237

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

RESOLUTION NO. 20-XX

**ADDRESSING SYSTEMIC RACISM AND
PROMOTING RACIAL EQUITY**

WHEREAS, the Board of Directors of Santa Clara Valley Water District (Valley Water) has adopted policies upholding its commitment to diversity, inclusion equity, and justice; and has reflected on the current events of the killings of George Floyd, Breonna Taylor, Ahmaud Arbery, and countless others that underscore a history in which Black and African Americans have been unjustly accused, detained, or killed by citizens or police officers as a result of prejudice, abuse of power, racial bias, and racism; and

WHEREAS, in this sobering and heartbreaking moment, our eyes have been opened to the ongoing burden and the resulting inequalities that prejudice, abuse of power, racial bias, and racism in both overt and systemic forms have inflicted on the Black and African American community; and

WHEREAS, Valley Water is committed to the fair treatment of all races, cultures, ethnicities, socio-economic classes, and affirms that diversity, equity, inclusiveness and respect are core values of the agency; and

WHEREAS, Valley Water is committed to advancing racial justice by centering the agency's programs and resource allocations on racial and social equity, both as a regional employer, as well as a service provider; and

WHEREAS, Valley Water understands that many members of the communities served by Valley Water, as well as members of our own employee community, are hurting deeply because of the events surrounding the unjust killings and abuse of power of George Floyd, Breonna Taylor, Ahmaud Arbery, and countless others; and

WHEREAS, the Governance Policies of the Board GP 7.7 states that the Santa Clara Valley Water District (Valley Water) is committed to creating an inclusive work environment, which reflects and supports the diversity of our community and enriches our perspectives; and

WHEREAS, In 2018 the Valley Water Board adopted the Environmental Justice Policy, aligning with the Federal Environmental Protection Agencies' definition of Environmental Justice and adding a value statement that we are committed to upholding Environmental Justice for Disadvantaged Communities in Santa Clara County (including low-income, minority, immigrant, tribal and Limited English Proficiency residents), and will strive to ensure the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to our projects and programs; and

WHEREAS, Valley Water acknowledges that increasing diversity, representation, inclusion and a sense of belonging at all levels, including the Board, Executive Leadership and Professional and Managerial classes is critical, as it results in better outcomes for individuals as well as for the Agency; and

DRAFT

WHEREAS, On June 22, 2020, the Board of Directors took an emergency legislative position of support on ACA 5 (Weber), an Assembly-proposed constitutional amendment to repeal Proposition 209 enacted in November 1996, in order to support equity, diversity, inclusion, and justice in state and local government hiring practices; and

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of Valley Water stands against prejudice, abuse of power, racial bias, and racism in both overt and systematic forms, and does hereby adopt the following guiding principles, at Valley Water we will:

1. Recognize and acknowledge that black lives matter.
2. Stand up against acts of racism, exclusion, and abuse of power in our organization and in our community.
3. Provide leadership in calling out institutionalized racism and broken systems within water resources community and working to fix them.
4. Go beyond diversity and inclusion and build cultural competence and address issues of racial inequity to become an anti-racist, anti-hate organization.
5. Intentionally and proactively change our ways of thinking about racial equity through dialogue, education, training, and engaging all Valley Water employees and contractors.
6. Combat hate, discrimination and unfair treatment against all people.
7. Be a resource for education and awareness for Valley Water employees and the communities we serve, relative to Valley Water's mission, by regularly sharing educational resources about on-going social justice issues in America.
8. Offer consistent, equitable amenities across Valley Water projects regardless of community demographics or affluence.
9. Support First Amendment rights that allow freedom of speech and peaceful non-violence public protests to educate and advocate for justice and stand against injustice.
10. Condemn systematic racism that sanctions police violence against people of color and especially Black and African American people.
11. Ensure that all employees voices be heard, creating a culture of equity, diversity inclusion, and belonging by continuing to support the Employee Resource Groups (ERGs).

BE IT FURTHER RESOLVED that the Valley Water Board further calls upon Valley Water labor union partners to affirmatively address racial, gender, and social inequalities and ensuring equitable benefits, decision-making, and negotiation demands.

BE IT FURTHER RESOLVED that the Valley Water Board acknowledges and calls on all employees to recognize that the responsibility falls on each of us, regardless of the color of our skin to work together to create a "new normal" in which the legacy of bigotry and unequal treatment no longer infects our institutions, systems, and values.

BE IT FURTHER RESOLVED that the Valley Water Board directs the CEO to move beyond acknowledgement of injustice and take concrete actions that are visible in the prioritization of resources and programs to (1) create a culture where employees feel safe, respected, valued and are invited to participate fully in sharing their unique gifts, talents and backgrounds, (2) expand access to equity, diversity, and inclusion evidence-based strategies, such as implicit bias trainings, culturally competent education and historical learnings, including through collaboration and support of ERGs, (3) recognize and ensure access to clean and safe drinking

DRAFT

water as a human right, (4) recognize and make sure flood protection is provided in an equitable fashion to all communities, and (5) recognize and ensure that environmental restoration and watershed stewardship projects equitably benefit all communities.

BE IT FURTHER RESOLVED that the Valley Water Board directs the CEO to bring forward an Environmental Justice Ends Policy for the Board's adoption, consistent with the Board's Environmental Justice Executive limitation before end of this fiscal year FY2021.

BE IT FURTHER RESOLVED that the Valley Water Board directs the CEO to identify and dismantle structural and institutional racism within Valley Water by (1) Affirmatively addressing racial and social inequities, (2) Promoting environmental justice consistent with the Board's policies.

BE IT FURTHER RESOLVED that the Valley Water Board directs the CEO to assess, strengthen and fund outreach and engagement strategies to ensure that communities of color and disadvantaged communities have true access to representation and participation in our agency's processes, as well as equitable access to engage in Valley Water processes and programs.

BE IT FURTHER RESOLVED that the Valley Water Board directs the CEO to assure hiring, retention, and promotion practices ensure personnel decisions are made equitably and justly, and make sure the workforce is diverse and enjoys equal opportunities for promotions and benefits.

BE IT FURTHER RESOLVED that the Valley Water Board directs the CEO to put into place programs that will ensure the greatest diversification of its contractors to strive to aim for inclusion and utilization of all Local Business Enterprises, including Minority and Women Business Enterprises.

BE IT FURTHER RESOLVED that the Board of Directors directs the CEO to identify actions Valley Water will implement to advance racial and social equity across all enterprises and, including developing performance measures, incorporating a racial and social equity lens in budgeting, personnel, contracting decisions, and in all strategic long-term planning processes for the express purpose of advancing racially just outcome reporting.

BE IT FURTHER RESOLVED that the Board of Directors directs the CEO, upon the passage of Proposition 16, the numeric designation assigned to ACA 5 (Weber) for the statewide General Election to be held on November 3, 2020, to put in place programs, policies, and procedures to implement the expressed intent of Proposition 16.

BE IT FURTHER RESOLVED FURTHER RESOLVED, that Valley Water will support and continue to explore additional efforts in the communities which it serves, the State of California, and nationwide to address racial inequalities.

PASSED AND ADOPTED by the Board of Directors of Santa Clara Valley Water District by the following vote on month day, 2020:

AYES: Directors

DRAFT

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

SANTA CLARA VALLEY WATER DISTRICT

Nai Hsueh
Chair, Board of Directors

ATTEST: MICHELE L. KING, CMC

Clerk, Board of Directors



MEMORANDUM

TO: Norma J. Camacho
Chief Executive Officer

FROM: Rick L. Callender
Chief of External Affairs

SUBJECT: EL 7.8 Recommended
Emergency Position on:

DATE: June 20, 2020

**RE: ACA 5 (Weber) Government Preferences: Repeal of
Proposition 209 – SUPPORT**

Pursuant to Board Governance Policy EL 7.8 regarding emergency positions on legislation, staff recommends a position of SUPPORT on Assembly Constitutional Amendment (ACA) 5 (Weber) Government Preferences: Repeal of Proposition 209.

Following the CEO's approval, I will forward the recommendation to the Board Chair for concurrence. In the event the Chair does not concur with the recommended position, staff will not communicate a formal position on behalf of the Board. If you have any questions regarding this item, please call me at extension 2017 or Rachael Gibson at extension 2884.

ANALYSIS

ACA 5 (Weber) would place a constitutional amendment on the November 3, 2020 ballot to repeal Proposition 209 (Article I, Section 31 of the California Constitution), thereby permitting the use of race and gender as decision factors in public employment, public education and public contracting. This measure also makes findings on how Proposition 209 invalidated laws requiring state agencies to eliminate traditional patterns of segregation and exclusion in the workforce, and states the intent of the Legislature to allow the consideration of gender, racial, and ethnic diversity among factors for college admissions, government hiring, and public contracting.

In November 1996, the voters of California passed Proposition 209, the California Civil Rights Initiative, by a 55 to 45 percent margin. After nearly 25 years, public opinion on issues of race and gender have changed, as has California's increasingly diverse electorate. Supported by Governor Pete Wilson and Ward Connerly, a businessman and former University of California Regent, Proposition 209 qualified for the ballot through the collection of voter signatures. The campaign advocated for a colorblind society, celebrating the "melting pot," and looking forward to the end of racial prejudice in American society.

ACA 5 makes numerous findings regarding the impacts of Proposition 209 and points to well-documented economic disparities for women and people of color. The findings

cite a 2016 study which estimated that the implementation of Proposition 209 costs women and people of color over \$1 billion annually in lost public contract awards, and asserts that most public procurement and subcontracting remain effectively closed to these groups due in part to the limitations enacted by Proposition 209.

Irrespective of the merits of a colorblind society, data and current events suggest that we are not currently living in one. Economic and sociological studies reveal that the tools to compete in the American economy are unevenly distributed, perpetuating historical inequality between races and genders.

In September 2008, the Thelton E. Henderson Center for Social Justice at the University of California Berkeley School of Law released a report based on trends in public employment by the State of California since 1990.¹ The percentage of the working age population was compared to state civil service employment rates by gender and race. The key findings in the report are quoted below.

There is modest, but persistent, gender disparity. Men were more likely to be employed as civil servants than women, even after accounting for differences in the working age population. Disparity increased in the mid-1990s, around the time Proposition 209 was on the ballot, and remained steady during the following decade.

Trends over time are largely the same for men and women within each racial and ethnic group. White American men are much more likely to be employed in the civil service than White American women, though for African Americans and Filipino Americans, women are more likely than men to be employed.

People of color show rapid gains in employment as civil servants, though these gains trail increases in the working age population. Over time, the number of people of color in the civil service has grown while the number of White American civil servants has remained constant. However, the civil service employment rate for people of color has lagged several years behind changes in the working age population.

Latino Americans are greatly underrepresented in civil service positions. Latino Americans, though making large gains in terms of the number of civil servants, are vastly underrepresented relative to their population. Furthermore, this disparity has grown over time. White Americans and African Americans are overrepresented as civil servants, while Asian Pacific Islander Americans have mostly been at parity.

The repeal of Proposition 209 would permit the use of race and gender as “plus” factors in college admissions, public employment, and public contracting. It would not permit the use of quotas or policies that are broad in scope and do not consider the totality of the individual college applicant, job candidate, or contract bidder.

¹ Michael D. Sumner, PhD., “Proposition 209 and Public Employment in California: Trends in Workforce Diversity,” Thelton E. Henderson Center for Social Justice (Berkeley Law – University of California, 2008), 2.

Impacts to Valley Water

Valley Water is committed to creating an inclusive work environment which supports the diversity of our community and enriches our perspectives. Valley Water delivers on its mission of water supply, flood protection, and environmental stewardship by depending on a workforce that finds strength and creativity in its diversity.

The passage of ACA 5 and subsequent approval by the voters in November will present Valley Water with an opportunity to intentionally consider women and minority owned business enterprises for contract opportunities. Born from increased opportunity in recent decades, these businesses often are small, relatively new companies that may lack expertise in public contracting process but deliver a quality product or service. Allowing race and gender as factors to be considered in the awarding of public contracts will create more opportunities for women and people of color, thereby fostering social and economic justice, building stronger more resilient communities in Santa Clara County.

Staff recommends a position of “Support” on ACA 5 in compliance with the Board’s direction to build a diverse workforce that values diversity and inclusion, and to advance the goals of Valley Water’s Small and Local Business Program.

Pros

- Amends the California Constitution to remove a prohibition on consideration of race and gender as a factor in hiring decisions by public agencies, if that consideration is not prejudicial in its application.
- Allows reinstatement of Women and Minority-Owned Business Enterprise programs and could restore \$1 billion annually in public contract awards in California.

Cons

- May require a review of employment and contracting policies to reflect changes to the California Constitution.

URGENCY

Urgency is required because the Legislature is working on an abbreviated schedule due to the COVID-19 pandemic. ACA 5 could be sent to the Governor after a vote in the Senate as soon as Tuesday, June 24, 2020.

Policy basis for recommended positions: The request is consistent with Board Governance Policy 11, which includes the following preamble.

The Board of Directors is committed to providing equal employment opportunity to all persons and to building a diverse work force that values diversity and inclusion.

The Board firmly believes that such a work force provides advantages both internally, in terms of the human resources potential offered by a variety of diverse perspectives, and externally, in increasing the District's ability to respond to the community we serve.

The Board understands that diversity is more than inclusion of racial or cultural groups, that valuing diversity involves respect for all persons, and that valuing diversity requires a positive change in the way we interact with each other and a change in our organizational culture.



Rick L. Callender
Chief of External Affairs



Norma J. Camacho
Chief Executive Officer

Board Concurrence Section

Comments:

Sign Off for Concurrence with Staff Recommendations Pursuant to EL-7.8:



SCVWD Board Chair or Designee

6/22/2020

Date



Valley Water

Clean Water • Healthy Environment • Flood Protection

Diversity & Inclusion Ad Hoc Committee August 27, 2020

Presented by: Marta Lugo, AO and Linda Nguyen, MA
Office of Racial Equity, Diversity & Inclusion (REDI)

Diversity & Inclusion Vision

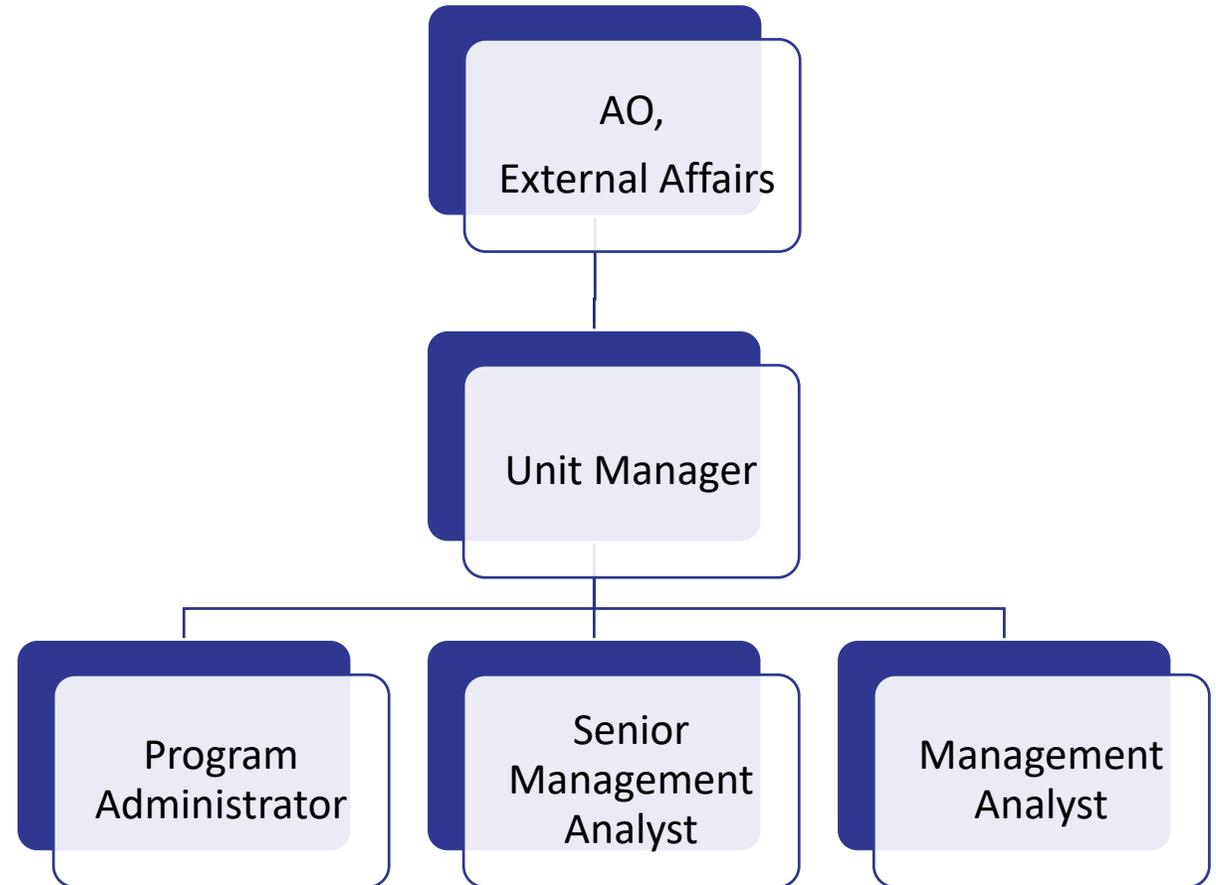
Creating a Culture of Belonging, Inclusion, and Diversity

Valley Water is committed to creating an inclusive work environment which supports the diversity of our community and enriches our perspectives. Critical to delivering quality products and services is a workforce that finds strength and creativity in its diversity.



New REDI Office

Office of Racial Equity, Diversity and Inclusion (REDI) will expand upon D&I by proactively addressing systemic racism and promoting racial equity and justice.



REDI: Summary of Proposed Resolution

4

Establish Valley Water's response to individual and systemic racism internally and externally.

Directs the CEO to comprehensively improve racial equity, diversity, and inclusion through review of all policies and procedures.

Implementation of programs consistent with the intent of Prop 16 upon its passage.

Creation of an End's Policy relative to Environmental Justice.

REDI office roadmap to develop workplan

INTERNALLY

- Review, update and expand D&I Master Plan goals:
 - ❖ Sustain and enhance diverse work force
 - ❖ Advance workplace inclusion
 - ❖ Leverage and support strategic community alliances
 - ❖ Expand and require diversity trainings district-wide
- Continue to support Employee Resource Groups (ERGs)
- Review organizational policies, processes, & protocols to promote racial equity



REDI office roadmap to develop workplan

EXTERNALLY:

- Collaborate with HR on workforce pipeline:
 - ✓ outreach
 - ✓ internship
 - ✓ mentorship
- Review organizational policies, processes, & protocols to promote racial and environmental justice to all communities we serve
- Foster and build relationships with community and grassroots social justice groups that serve disadvantaged communities or communities of color



Recommendation: Present resolution to the Board

7

D&I Ad Hoc Committee recommends the Board to Adopt the Resolution Condemning Systemic Racism and Promoting Racial Equity

QUESTIONS





Santa Clara Valley Water District

File No.: 20-0739

Agenda Date: 8/27/2020
Item No.: 4.2.

COMMITTEE AGENDA MEMORANDUM

Diversity & Inclusion Ad Hoc Committee

SUBJECT:

Provide Update on December 18, 2019 Diversity and Inclusion Action Items and Review Future Focus.

RECOMMENDATION:

Review presentation of actions items and future focus for Strategy 2 - Maintain appropriate staffing levels and expertise.

SUMMARY:

At the December 18, 2019 Diversity and Inclusion Meeting, the Board Ad Hoc Committee gave direction for staff to come back and report on four action items:

1. Prepare an analysis of Human Resources staffing needs to support expanding the intern and apprentice programs;
2. Investigate and report on supplemental funding opportunities to support the intern and apprentice programs;
3. Prepare a prioritized list of programs and initiatives regarding outreach and recruitment of veterans; and
4. Revise the Diversity and Inclusion Program Update, Attachment 2, Page 5, to include information on hiring and promotions.

The presentation will also highlight the results of Valley Water's fourth Teacher Externship that took place from July 27-31, 2020. The presentation will also outline the focus and monitoring to be done going forward from the Valley Water Board Work Plan for Fiscal Year 20-21.

ATTACHMENTS:

Attachment 1: PowerPoint

Attachment 2: Video and Outcome Report Links

UNCLASSIFIED MANAGER:

Anna Noriega, 408-630-3089

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Valley Water

Clean Water • Healthy Environment • Flood Protection

Diversity & Inclusion Ad Hoc Committee 8/27/2020

Presented by: Office of Talent and Inclusion Team

Action Items From 12/18/19 Meeting

2

- 1 Prepare an analysis of Human Resources staffing needs to support expanding the intern and apprentice programs
- 2 Investigate and report on supplemental funding opportunities to support the intern and apprentice programs
- 3 Prepare a prioritized list of programs and initiatives regarding outreach and recruitment of veterans
- 4 Revise the Diversity and Inclusion Program Update, Attachment 2, Page 5, to include information on hiring and promotions.

HR staffing need to support expanding internship and apprenticeship programs

3

NEW enhancements and goals/5-year plan:

- Develop Apprenticeship Program in partnership with Baywork
- Create and enhance Partnerships with Community Colleges
- Implement former Intern engagement and relationship maintenance program
- Create and implement High School year-round internship program
- Incorporate program improvement recommendations from Silicon Valley Joint Partnerships/Robert Half
- Research possible High School curriculum
- Build continuous Externship programs for teachers (*Video and Outcome Report*)

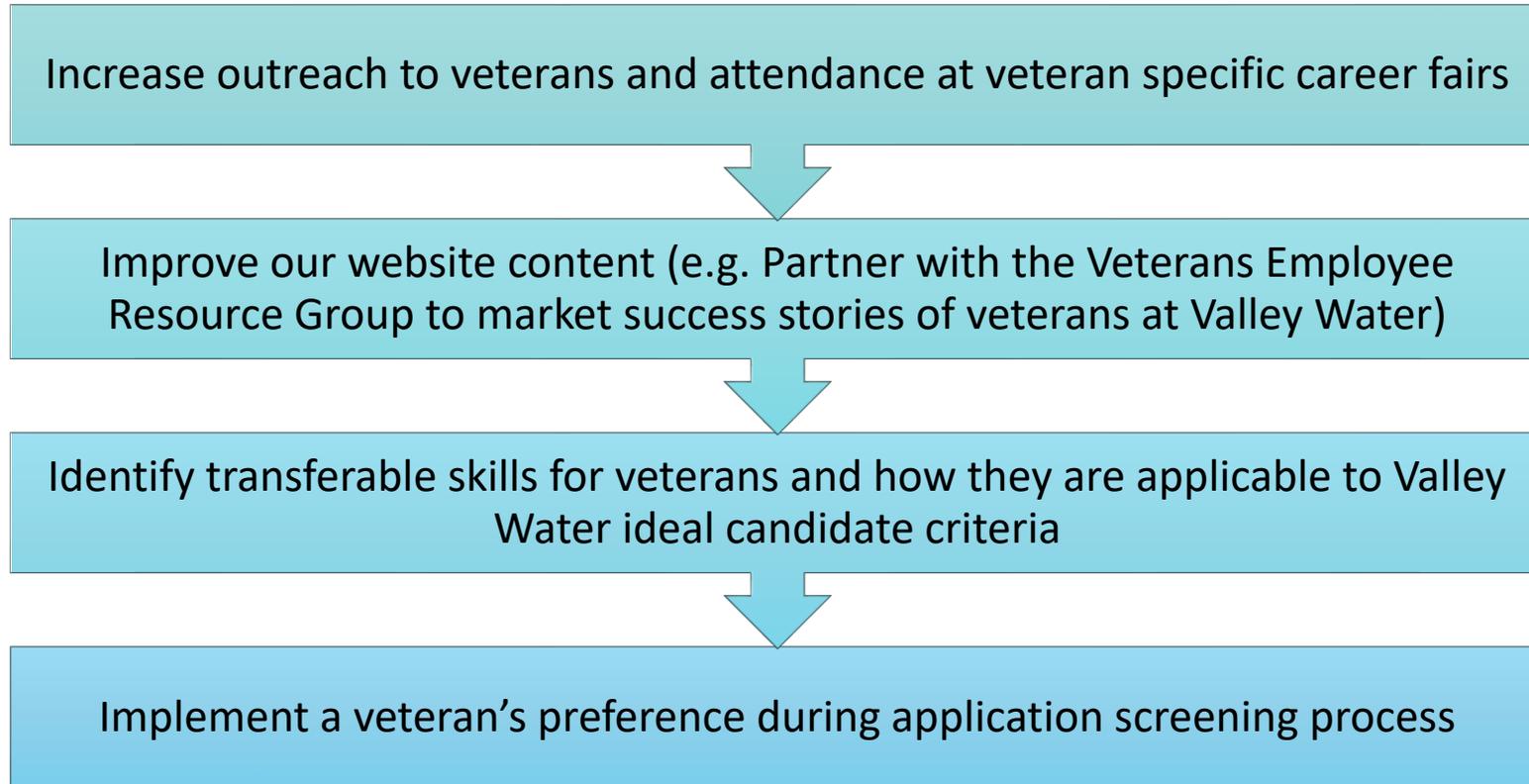
1 Full-Time Person
(Management Analyst)

This position is not in the FY21 Budget

Status of supplemental funding for Internship/Apprenticeship Programs

- Fifteen (15) Career & Technical Education (CTE) students were poised to start a regional summer internship program at various water and wastewater utilities before COVID.
- For Summer 2021, BAYWORK and JVS are putting together a Summer Internship Program that taps into local community colleges closer to the south bay such as Chabot and Gavilan Colleges that offer electrical and mechanical maintenance training.
- BAYWORK in conversation with the US Department of Labor (DOL) to facilitate moving forward on a regional apprenticeship this fall.
 - The goal is to submit an apprenticeship standard to DOL by year end. Concurrently will engage with local community colleges to ensure that the necessary coursework is available to apprentices for fall 2021.

Prioritized list of programs and initiatives for outreach and recruitment of veterans



Include information on hiring and promotions.

6



valleywater.org

Future Focus

7

- Long Term Staffing Strategy Plan aligned to operational needs
- Career Ladders to increase understanding of requirements for professional growth
- Technological Improvements with Infor
 - Applicant Blind Screening
 - Competencies in learning and development module
 - Metrics

QUESTIONS



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Attachment 2: Valley Water Teacher Externship Video (7 Minutes) and Ignited Outcome report.

[video](#) 7-minute compilation of activities and presentations from Valley Water Staff and Teacher Participants from the Teacher Externship.

Ignited has been running this program with Baywork since 2016, and the [long-term impact](#) of this program has reached more than 15,000 students, 75% at high needs schools.

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Santa Clara Valley Water District

File No.: 20-0778

Agenda Date: 8/27/2020

Item No.: 4.3.

COMMITTEE AGENDA MEMORANDUM

Diversity & Inclusion Ad Hoc Committee

SUBJECT:

Resolution Recognizing Senator Kamala Harris as the First Woman of Color to be Selected as a Vice Presidential Candidate on a Major Political Party Ticket.

RECOMMENDATION:

Recommend the Board to adopt the Resolution Recognizing Senator Kamala Harris as the First Woman of Color to be Selected as a Vice Presidential Candidate on a Major Political Party Ticket.

SUMMARY:

The 19th Amendment gave women the right to vote nationally on August 18, 1920. Secretary of State Bainbridge Colby certified the constitutional amendment on August 26, 1920 ending the struggle for women to have the right to vote that started a century earlier. The women of the United States have designated August 26, the anniversary date of the certification of the 19th Amendment, as a symbol of the continued fight for equal rights, and it is now known as Women's Equality Day.

The history of women in American politics predates that anniversary by decades. Long before voting was extended to women nationwide through the constitutional amendment, women were running for office. Throughout the history of this nation, women of color, especially Black women, have been at the forefront in moving us toward a more representative and unified society. From the voting booth to grassroots movements, women have fought for and lifted up this country with their votes and voices. But their representation in the highest levels of government has never matched their unwavering participation in our democracy.

The announcement of Senator Kamala Harris as a vice presidential candidate on a major party ticket marks a historic milestone and a significant moment for both women and people of color in our country. Senator Harris is the first woman of color to be selected as the running mate on a major party ticket, as well as the first multiracial woman, the first South Asian woman, and the first Black woman. To mark this historic event, staff recommends that the committee recommend to the Board to adopt a Resolution recognizing Senator Harris, and commending Presidential candidate and former Vice President Biden, for this historic achievement.

ATTACHMENTS:

Attachment 1: Resolution

UNCLASSIFIED MANAGER:

File No.: 20-0778

Agenda Date: 8/27/2020
Item No.: 4.3.

Marta Lugo, 408-630-2237

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

RESOLUTION NO. 19-

RECOGNIZING SENATOR KAMALA HARRIS AS THE FIRST WOMAN OF COLOR TO BE SELECTED AS A VICE PRESIDENTIAL CANDIDATE ON A MAJOR POLITICAL PARTY TICKET

WHEREAS, the 19th Amendment gave women the right to vote nationally on August 18, 1920; and

WHEREAS, Secretary of State Bainbridge Colby certified the constitutional amendment on August 26, 1920 ending the struggle women's right to vote that started a century earlier; and

WHEREAS, the women of the United States have designated August 26, the anniversary date of the certification of the 19th Amendment, and

WHEREAS, August 26th is now known as Women's Equality Day; and

WHEREAS, the women of the United States have united to assure that these rights and privileges are available to ALL citizens equally; and

WHEREAS, the women of the United States are to be commended and supported in their organization and activities; and

WHEREAS, the history of women in American politics predates that anniversary by decades. Long before suffrage was extended to women nationwide through the constitutional amendment, women were running for office; and

WHEREAS, throughout the history of this nation, women of color, especially Black women, have been at the forefront in moving us toward a more representative and unified society. From the voting booth to grassroots movements, women have fought for and uplifted this country with their vote and voice. But their representation in the highest levels of government has never matched their unwavering participation in our democracy; and

WHEREAS, for far too long, we have undervalued women of color, especially Black women's political power and their role in shaping our culture, communities, and country; and

WHEREAS, on August 11, 2020 Presidential candidate, and former Vice-President Joe Biden chose California Senator Kamala Harris as his Vice-Presidential nominee; and

WHEREAS, the Santa Clara Valley Water District does not support a political party, or engage in partisan politics, however it recognizes the overwhelming significance of this moment and what it means for this nation; and

WHEREAS, the announcement of Senator Kamala Harris as a vice presidential candidate on a major party ticket marks a historic milestone and a significant moment for both women and people of color in our country. Senator Kamala Harris is the first woman of color to be selected as the running mate on a major-party ticket, as well as the first multiracial woman, the first South Asian woman, and the first Black woman; and

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the Santa Clara Valley Water District does hereby congratulate Senator Kamala Harris as being the first woman of color to be selected as a vice presidential candidate on a major political party ticket, and commend Presidential candidate, and former Vice-President Joe Biden, for making such a historic selection.

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by the following vote on (insert meeting date):

AYES: Directors

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

SANTA CLARA VALLEY WATER DISTRICT

CURRENT CHAIR (ALL CAPS)
Chair, Board of Directors

ATTEST: MICHELE L. KING, CMC

Clerk, Board of Directors

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Santa Clara Valley Water District

File No.: 20-0719

Agenda Date: 8/27/2020

Item No.: 4.4.

COMMITTEE AGENDA MEMORANDUM

Capital Improvement Program Committee

SUBJECT:

Review 2020 Diversity & Inclusion Ad Hoc Committee Work Plan.

RECOMMENDATION:

Review the 2020 Diversity & Inclusion Ad Hoc Committee Work Plan, and make adjustments as necessary.

SUMMARY:

Work Plans are created and implemented by all Board Committees to increase Committee efficiency, provide increased public notice of intended Committee discussions, and enable improved follow-up by staff. Work Plans are dynamic documents managed by Committee Chairs and are subject to change. Committee Work Plans also serve to assist to prepare an Annual Committee Accomplishments Reports.

The 2020 Diversity & Inclusion Ad Hoc Committee Work Plan is contained in Attachment 1. Information in this Plan document was provided by staff as follows:

Discussion of topics as stated in the Plan have been described based on information from the following sources:

- Items referred to the Committee by the Board;
- Items requested by the Committee to be brought back by staff;
- Items scheduled for presentation to the full Board of Directors; and
- Items identified by staff.

The 2020 Diversity & Inclusion Ad Hoc Committee Work Plan contained in Attachment 1 is presented for the Committee's review to determine topics for discussion in 2020.

All meetings have been scheduled to occur on the fourth Thursday of each month or at the call of the Committee Chair, in accordance with the Committee's charter, with the exception of the meetings in March, April, May, June and July 2020, which were cancelled due to the COVID-19 Shelter-in-Place Order.

ATTACHMENTS:

Attachment 1: 2020 D&I Ad Hoc Committee Work Plan

File No.: 20-0719

Agenda Date: 8/27/2020
Item No.: 4.4.

UNCLASSIFIED MANAGER:
Michele King, 408-2630-2711

Diversity & Inclusion Ad Hoc Committee 2020 Workplan

	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>Jun</i>	<i>Jul</i>	<i>Aug</i>	<i>Sep</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>
Category												
Election of Committee Officers			X									
2020-2024 D&I Master Plan												
Update on Emerging Leaders Program												
Review Ends Policy Language												
D&I Pgm Recommended Enhancements and Methods to Monitor Effectiveness								X				
Hiring & Promotion Report			X									
Diversity & Inclusion Work Plan Development			X									
Introduction of Office of Racial Equity, Diversity & Inclusion (REDI) (CEO Request)								X				
Committee Requested Items:												
Human Resources Staffing Analysis (12/19/19)			X									
Supplemental Funding Opps to Support Intern/Apprentice Programs (12/19/19)			X									

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