



SANTA CLARA VALLEY WATER DISTRICT

# NON-AGENDA

## January 05, 202

**Board Policy EL-7 Communication and Support to the Board**  
*The BAOs shall inform and support the Board in its work.*

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		<u><a href="#">INCOMING BOARD CORRESPONDENCE</a></u>
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12		Email from Warner Chabot to Rachael Gibson, copied to the board, dated 12/29/23, expressing appreciation for the excellent work by staff on the December 2023 Valley Water News. C-24-0001
		<u><a href="#">OUTGOING BOARD CORRESPONDENCE</a></u>
		None.

# **CEO BULLETIN**

# CEO BULLETIN



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

## **Week of December 22, 2023 – January 4, 2024**

Board Executive Limitation Policy EL-7:

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

Item	IN THIS ISSUE
<u>1</u>	AB 1572 Non-Functional Turf Ban on Commercial, Industrial, and Institutional Properties
<u>2</u>	Recurring Report on Personnel Vacancies
<u>3</u>	Two-day Rinconada Water Treatment Plant shutdown from January 16, 2024 to January 18, 2024

### **1. AB 1572 Non-Functional Turf Ban on Commercial, Industrial, and Institutional Properties**

Governor Newson signed into law AB 1572 which prohibits the use of potable water for the irrigation of non-functional turf (NFT) on commercial, industrial, and institutional (CII) properties, declaring it wasteful and incompatible with state policy relating to climate change, water conservation, and reduced reliance on the Sacramento-San Joaquin Delta ecosystem. The ban will take effect in a phased approach between 2027 through 2031.

NFT includes turf areas that are decorative and serve no other functions. The ban also applies to common areas of homeowners' associations, common interest developments, and community service organizations or similar entities. AB 1572 does not affect residential lawns, parks, sports fields, cemeteries, or golf courses, nor does it prohibit the use of potable water necessary to ensure the health of trees or to address an immediate health and safety need. AB 1572 makes permanent a temporary drought-related emergency regulation banning the irrigation of NFT at CII properties that was put in place in June 2022 and is set to expire in June 2024.

#### **Bill Enforcement**

AB 1572 authorizes a public water system, city, or county to enforce the new law. Primary enforcement authority is provided for Urban Retail Water Suppliers, with noncompliance subject to civil liability and penalties of up to \$500, or those imposed by a local ordinance. In the event an Urban Retail Water Supplier is not enforcing the new law, Public Water Systems (such as Valley Water) may also take enforcement action upon notifying the appropriate retail public water system 30 days before enforcement. Valley Water's Water Waste Program will continue to serve as a county-wide intake platform for water waste reports and will follow the procedures outlined in ordinance No. 23-02.

#### Valley Water Ordinance No. 23-02

A ban on irrigating NFT is included in Valley Water ordinance No. 23-02, which lists water waste prohibitions and defines enforcement measures for water conservation in Santa Clara County. The provisions of AB 1572 align with Valley Water's ordinance.

#### Compliance Resources

AB 1572 requires the state to support small and minority-owned businesses by providing services that advance compliance with the provisions; additionally, the bill requires the Department of Water Resources to prioritize financial assistance for NFT replacement to public water systems serving disadvantaged communities.

Valley Water's Landscape Rebate Program will be available to assist properties to comply with AB 1572 by providing rebate funding for the conversion of NFT to low-water-use landscapes.

For further information, please contact Kirsten Struve at (408) 630-3138.

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## **2. Recurring Report on Personnel Vacancies**

Valley Water strives to attract, develop, and retain a talented and diverse workforce. Our employees come from diverse cultural and professional backgrounds. Valley Water promotes high performance, diversity, and equal employment opportunities.

Human Resources provides a monthly report on staffing levels and vacancies per the Board's request. The following is information through December 31, 2023.

#### Valley Water Staffing Levels

- 921 - Total Positions
- 849 - Number of positions filled
- 72 - Total Vacant positions
- 8% - Vacancy Factor
- 15 – Separations in December 2023

For further information, please contact Patrice McElroy at (408) 630-3159.

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## **3. Two-day Rinconada Water Treatment Plant shutdown from January 16, 2024 to January 18, 2024**

Starting on January 16, 2024, the Rinconada Water Treatment Plant (RWTP) will be shut down for two (2) days to facilitate Rinconada Reliability Improvement Project work. During this shutdown, the project team will perform electrical and pipeline tie-in activities at the head-works of the Plant. Valley Water (VW) staff will also take this opportunity to perform other preventive maintenance and improvement activities. Performing periodic preventive maintenance is essential to ensure that the water treatment plant's critical systems are safe, reliable and remain in good working order.

During this shutdown, all West Pipeline (WPL) turnouts normally supplied by RWTP, except for the City of Mountain View, are expected to be impacted. Barring any unforeseen circumstances, the RWTP is scheduled to return to service on January 18, 2024.

The above-stated shutdown schedule has also been communicated and coordinated with all WPL retailers. The retailers impacted by this shutdown will use their groundwater and/or alternate supplies to meet demand.

For further information, please contact Sam Bogale at (408) 630-3505.

# **BOARD MEMBER REQUESTS and Informational Items**

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
I-23-0033	12/21/23	Beall	Yoke	Mcelroy	Provide Director Beall with a copy of Valley Water's reasonable accommodation policy.	01/10/24		
R-23-0011	08/08/23	Eisenberg	Taylor	Chinte Salandan an	CEO 2023 travel with the following: For each time away, please provide: 1. Dates 2. Locations traveled to 3. Total cost 4. Whether the district paid in part or in whole (how much, and was it as a legitimate business expense or as a taxable perk) 5. If for official reasons, if not clear from the outside, please provide a brief (one sentence or even partial sentence is fine) description of the nexus -- e.g. "met with these senators in washington dc: warren, booker, and feinstein" 6. If the district only paid in part, I do not need to know what was happening during the personal time 7. Please provide the budget for travel for that time period and how the actuals compared with the budgeted (this should be very simple)	08/29/23		10/11/23 Information Only: BMR request was updated to change from BAO travel information to only CEO: CEO 2023 travel with the following: For each time away, please provide: 1.Dates 2.Locations traveled to 3.Total cost 4.Whether the district paid in part or in whole (how much, and was it as a legitimate business expense or as a taxable perk) 5.If for official reasons, if not clear from the outside, please provide a brief (one sentence or even partial sentence is fine) description of the nexus -- e.g. "met with these senators in washington dc: warren, booker, and feinstein" 6.If the district only paid in part, I do not need to know what was happening during the personal time 7.Please provide the budget for travel for that time period and how the actuals compared with the budgeted (this should be very simple); 09/08/23 Information Only: Two additional weeks need. Anticipated completion date of September 22.

# **INCOMING BOARD CORRESPONDENCE**



Board Correspondence (open)

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
C-23-0303	12/27/23	12/27/23	All	DANNY GARZA	Email from Danny Garza to the board, dated 12/27/23, regarding possible creek obstructions on Lower Silver Creek.	Refer to Staff	Hakes	Codianne	01/04/24	01/03/24	n/a	01/10/24
C-23-0299	12/26/23	12/26/23	All	REGAN WILLIAMS	Email from Regan Williams to Director Varela dated 12/26/23 regarding Wild Hogs in Morgan Hill	Refer to Staff	Richardson	Mccarter	01/03/24	-	n/a	01/09/24
C-23-0293	12/04/23	12/07/23	Beall	AFSHIN ROUHANI	Email from Afshin Rouhani to Director Beall, dated 12/04/23, regarding Anderson Dam options.	Refer to Staff	Richardson	Mccarter	12/15/23	12/18/23	n/a	12/21/23
C-23-0287	11/29/23	11/29/23	Hsueh	DWIGHT NICKERSON	Email from Dwight Nickerson to Director Hsueh, dated 11/29/23, regarding damaged retaining wall on Saratoga Creek.	Refer to Staff	Hakes	Codianne	12/07/23	12/05/23	n/a	12/13/23
C-23-0267	11/03/23	11/03/23	Varela	ROCHELLE	Email from	Refer to Staff	Richardson	Mccarter	11/11/23	11/16/23	n/a	11/17/23



Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
				BEERLI	Rochelle Beerli to Chair Varela, dated 11/03/23, conveying questions about Pacheco Dam.							
C-23-0266	10/31/23	10/31/23	All	JOHN GUISLIN	Email from John Guislin to the board, dated 10/31/23, expressing concern for Creek Flooding mitigation along San Francisquito Creek.	Refer to Staff	Hakes	Yerrapotu	11/08/23	11/06/23	n/a	11/14/23
C-23-0239	09/24/23	09/25/23	Beall	KATHLEEN O'CONNELL	Emal from Kathleen O'Connell to the Director Beall, dated 9/24/23, regarding Water Resource Protection Zone at the upcoming Cherry Avenue EIH project.	Refer to Staff	Hakes	Codianne	10/03/23	09/27/23	n/a	10/09/23
C-23-0235	09/21/23	09/22/23	All	JESSICA CALDERON	Email from Jessica Calderon to the Board, dated 9/21/22	Refer to Staff	Hakes	Codianne	09/30/23	09/25/23	n/a	10/06/23

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
					regarding the unhoused at Church st./Howson Creek Monterey Road/Howson Creek, Gilroy.							
C-23-0212	08/24/23	08/24/23	Santos	ERIC HA	Email from Eric Ha to Director Santos, dated 8/24/23, regarding unhoused individual setting fire behind property.	Refer to Staff	Hakes	Codianne	09/01/23	08/30/23	n/a	09/07/23
C-23-0211	08/24/23	08/24/23	Varela	LUIS RAMIREZ	Email from Luis Ramirez to Chair Varela, dated 8/24/23, regarding homeless in Gilroy on Valley Water property.	Refer to Staff	Hakes	Codianne	09/01/23	08/30/23	n/a	09/07/23
C-23-0101	05/12/23	05/12/23	All	STEVE KELLY	Email from Steve Kelly, to the Board, dated 5/12/23, regarding concern for unhoused that may cause threats to residents living near	Refer to Staff	Blank Yerrapotu	Codianne	05/20/23	05/22/23	n/a	05/26/23

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
					the creeks in Santa Clara.							
C-23-0076	03/31/23	04/03/23	All	H.K. WILLARD	Email from H.K. Willard to the Board dated 3/31/23 regarding misleading information in March Water News.	Refer to Staff	Gibson	Rocha	04/11/23	04/07/23	n/a	04/17/23
C-23-0045	02/23/23	02/24/23	All	MELISSA MALLORY	EMail from Melissa Mallory regarding unhouse along Los Gatos Creek Trail.	Refer to Staff	Blank	Codianne Yerrapotu	03/04/23	03/03/23	n/a	03/10/23

## Michele King

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**From:** Warner Chabot <warnerc@sfei.org>  
**Sent:** Friday, December 29, 2023 9:31 AM  
**To:** Pat Showalter; Board of Directors; Rick Callender; Vincent Gin; John Bourgeois; Brian Mendenhall; Afshin Rouhani; Rachael Gibson; Jim Fiedler; DTucker [REDACTED]  
**Subject:** Your excellent "Valley Water News".

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Rachel (et. all) -

Just a brief note to compliment you and your team for the excellent December "2023" "**Valley Water News**"

You packed a considerable amount of extremely valuable information (*for your many stakeholders*), into a concise and highly accessible format. No easy task. Many try. Few succeed.

Thank you for this important public service.

Cheers,

Warner Chabot

Executive Director - SFEI



Warner Chabot  
Executive Director - SFEI  
Pronouns: He/His  
San Francisco Estuary Institute  
W: 510 746-7396 Cell: 510-375-2141 E-mail: [warnerc@sfei.org](mailto:warnerc@sfei.org)