



Santa Clara Valley Water District Board Policy and Planning Committee Meeting

Headquarter Boardroom
5700 Almaden Expressway

***AMENDED/APPENDED REGULAR MEETING AGENDA**

**Thursday, August 10, 2023
2:00 PM**

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

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

BOARD POLICY AND PLANNING COMMITTEE

Nai Hsueh - Director District 5
Tony Estremera, Director District 6
Rebecca Eisenberg, Director District
7

During the COVID-19 restrictions, all public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body, will be available to the public through the legislative body agenda web page 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 participate in the legislative body's meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

COMMITTEE CLERK

Michele L. King, CMC
Clerk, Board of Directors

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

Santa Clara Valley Water District Board Policy and Planning Committee

***AMENDED/APPEDED AGENDA**

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Thursday, August 10, 2023

2:00 PM

**Headquarter Boardroom
5700 Almaden Expressway
San Jose, 95118**

*****IMPORTANT NOTICES AND PARTICIPATION INSTRUCTIONS*****

Santa Clara Valley Water District (Valley Water) Board of Directors/Board Committee meetings are held as a “hybrid” meetings, conducted in-person as well as by telecommunication, and is compliant with the provisions of the Ralph M. Brown Act.

To maximize public safety while still maintaining transparency and public access, members of the public have an option to participate by teleconference/video conference or attend in-person. To observe and participate in the meeting by teleconference/video conference, please see the meeting link located at the top of the agenda. If attending in-person, you are required to comply with Ordinance 22-03 - AN ORDINANCE OF THE SANTA CLARA VALLEY WATER DISTRICT SPECIFYING RULES OF DECORUM FOR PARTICIPATION IN BOARD AND COMMITTEE MEETINGS located at <https://s3.us-west-2.amazonaws.com/valleywater.org.if-us-west-2/f2-live/s3fs-public/Ord.pdf>

In accordance with the requirements of Gov. Code Section 54954.3(a), members of the public wishing to address the Board/Committee during public comment or on any item listed on the agenda, may do so by filling out a Speaker Card and submitting it to the Clerk or using the “Raise Hand” tool located in the Zoom meeting application to identify yourself in order to speak, at the time the item is called. Speakers will be acknowledged by the Board/Committee Chair in the order requests are received and granted speaking access to address the Board.

- Members of the Public may test their connection to Zoom Meetings at: <https://zoom.us/test>
- Members of the Public are encouraged to review our overview on joining Valley Water Board Meetings at: <https://www.youtube.com/watch?v=TojJpYCxXm0>

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 Board of Directors/Board 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://emmas.msrbo.org/> and

<https://www.valleywater.org/how-we-operate/financebudget/investor-relations>, respectively.

Under the Brown Act, members of the public are not required to provide identifying information in order to attend public meetings. Through the link below, the Zoom webinar program requests entry of a name and email address, and Valley Water is unable to modify this requirement. Members of the public not wishing to provide such identifying information are encouraged to enter "Anonymous" or some other reference under name and to enter a fictional email address (e.g., attendee@valleywater.org) in lieu of their actual address. Inputting such values will not impact your ability to access the meeting through Zoom.

Join Zoom Meeting
<https://valleywater.zoom.us/j/81170871803>
Meeting ID: 811 7087 1803
Join by Phone:
1 (669) 900-9128, 81170871803#

1. CALL TO ORDER:

1.1. 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 Board/Committee on any item not listed on the agenda may do so by filling out a Speaker Card and submitting it to the Clerk or using the "Raise Hand" tool located in the Zoom meeting application to identify yourself to speak. Speakers will be acknowledged by the Board/Committee Chair in the order requests are received and granted speaking access to address the Board/Committee. Speakers' comments should be limited to three minutes or as set by the Chair. The law does not permit Board/Committee action on, or extended discussion of, any item not on the agenda except under special circumstances. If Board/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 Board/Committee may take action on any item of business appearing on the posted agenda.

3. APPROVAL OF MINUTES:

3.1. Approval of Minutes.

[23-0828](#)

Recommendation: Approve the June 5, 2023, and June 30, 2023, Minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: June 5, 2023, Minutes](#)
[Attachment 2: June 30, 2023, Minutes](#)

4. INFORMATION AND ACTION ITEMS:

- *4.1. Review the Draft Board of Directors Code of Ethics and Conduct Policy and Recommend Sending to Full Board for Review and Approval. [23-0827](#)
- Recommendation: Review the Draft Board of Directors Code of Ethics and Conduct Policy and Recommend Sending to Full Board for Review and Approval.
- Manager: Rick Callender, 408-630-2017
- Attachments: [Attachment 1: Draft Code of Ethics and Conduct Policy](#)
[Attachment 2: Governance Policies](#)
[*Handout 4.1-A Irvin](#)
- 4.2. Board Governance Encampments of Unsheltered People Ends Policy E-6. [23-0743](#)
- Recommendation: A. Review and provide input on the draft Encampments of Unsheltered People Ends Policy E-6; and
B. Recommend that staff present the Encampments of Unsheltered People Ends Policy E-6 to the full Board for consideration.
- Manager: Jennifer Codianne, 408-630-3876
- Attachments: [Attachment 1: Draft Ends Policy](#)
- 4.3. Discuss Candidate Statement Fee Associated with Filing for a Santa Clara Valley Water District Board of Director Seat and Identify Board Actions to Support Potential Future Candidates, if any. [23-0847](#)
- Recommendation: Discuss the Candidate Statement Fee Associated with Filing for a Santa Clara Valley Water District Board of Director Seat and Identify Board Actions to Support Potential Future Candidates, if any.
- Manager: Rick Callender, 408-630-2017
- 4.4. 2023 Climate Change Action Plan Update. [23-0515](#)
- Recommendation: A. Receive information on the Greenhouse Gas Reduction Plan, including updated greenhouse gas emissions inventory methodology and the associated 2045 net-zero target; and
B. Receive an update on Implementation of Climate Change Adaptation Actions.
- Manager: Lisa Bankosh, 408-630-2618
- Attachments: [Attachment 1: GHG Inventory Summary](#)
[Attachment 3: Flagship Metrics](#)
[Attachment 4: PowerPoint](#)

4.5. Review Committee 2023 Work Plan and Meeting Schedule.

[23-0829](#)

- Recommendation:
- A. Review the 2023 Board Policy and Planning Committee's Work Plan and incorporate any new tasks; and
 - B. Schedule Committee meetings as appropriate.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 2023 BPPC Work Plan](#)

5. 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.

6. ADJOURN:

6.1. Adjourn.



Santa Clara Valley Water District

File No.: 23-0828

Agenda Date: 8/10/2023

Item No.: 3.1.

COMMITTEE AGENDA MEMORANDUM Board Policy and Planning Committee

Government Code § 84308 Applies: Yes ☐ No ☒
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Approval of Minutes.

RECOMMENDATION:

Approve the June 5, 2023, and June 30, 2023, 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.

ENVIRONMENTAL JUSTICE IMPACT:

There are no Environmental Justice impacts associated with this item.

ATTACHMENTS:

Attachment 1: June 5, 2023, Minutes

Attachment 2: June 30, 2023, Minutes

UNCLASSIFIED MANAGER:

Michele King, 408-630-2711



BOARD POLICY AND PLANNING COMMITTEE MEETING

DRAFT MINUTES

**Monday, June 5, 2023
2:00 PM**

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER

1.1 ROLL CALL

A regular meeting of the Santa Clara Valley Water District (Valley Water) Board Policy and Planning Committee (Committee) was called to order at 2:00 p.m. on June 5, 2023.

Board Members in attendance: Director Nai Hsueh – District 5; Director Tony Estremera – District 6; and Director Rebecca Eisenberg – District 7, constituting a quorum of the Committee.

Staff members in attendance: Lisa Bankosh, John Bourgeois, Bart Broome, Rick Callender, Theresa Chinte, Rachael Gibson, Chris Hakes, Brian Hopper, Michele King, Carlos Orellana, Melanie Richardson, Kirsten Struve, Greg Williams, and Tina Yoke.

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

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

3. 3.1 APPROVAL OF MINUTES – March 6, 2023.

The Committee considered the draft minutes from the March 6, 2023, meeting. It was moved by Director Estremera, seconded by Director Eisenberg, and unanimously carried to approve the minutes as presented.

4. INFORMATION AND ACTION ITEMS

4.1 Review Board Governance Policies Related to the Election of the Board Chairperson/Vice Chairperson and the role of the Board Chairperson.

The Committee reviewed and discussed the election of the Board Chairperson/Vice Chairperson Board Governance Policy options.

Director Eisenberg stated she was in favor of an analysis of generally accepted and best practices for election of the Board Chairperson and Vice Chairperson and the role of Board Chairperson, as well as clarifying current policy language.

It was moved by Director Hsueh, seconded by Director Estremera, with Director Eisenberg abstaining, to recommend to the Board that the Board Governance Policy be revised to state that the election of the Board Chairperson and Board Vice Chairperson requires a simple majority vote (4 votes) of the Board, and to ask the Board to provide clarification on the review of the role of the Board Chairperson.

4.2 Board Governance Encampments of Unsheltered People Ends Policy E-6.

Rechelle Blank, Deputy Operating Officer, reviewed the information on this item as outlined in the memorandum and proposed draft policy.

The Committee provided the following input:

Director Eisenberg stated that the policy needs to be reworded to have more ends-oriented objectives and goals. The policy needs to include ways that positive and successful collaborative relationships will be created and used.

Director Hsueh requested that the first paragraph under the title be revised to reflect higher level language and a more regional approach and suggested that Goal 6.1 could replace the introductory first paragraph. Under 6.1.2 remove “from internal working group recommendations.”

The Committee requested that staff incorporate the Committee’s suggestions and return in August with updated policy language.

4.3 Develop Draft Fiscal Year 2023-24 (FY24) Board Work Plan based upon the outcome of the May 3, 2023 Board Strategic Planning Meetings.

Theresa Chinte, Chief of Staff, reviewed the information on this item as outlined in the memorandum and Attachment 1.

The Committee provided the following input:

INTEGRATED WATER RESOURCES MANAGEMENT

Director Eisenberg suggested that the Objective should focus more on educating the public about our management of water resources and be less focused on public relations.

Katja Irvin, San Jose Resident, requested that consideration be given to adding to Objective 3, that a more robust community outreach plan be implemented within Santa Clara County to educate the public about various aspects of the Delta Conveyance Project, including discussions with stakeholders; and perhaps the Board could assign a committee to work with staff to develop such a plan.

WATER SUPPLY

Objective 1, Tactics Bullet Point 2, define and list what’s included in the “no regrets” package.

Director Hsueh suggested that the Recycled Water Committee consider changing their name to the Water Reuse Committee.

Director Eisenberg requested that Objective 5, Tactics Bullet Point 8, be reworded to state, “Make efforts” to obtain water use data from Valley Water Retailers.

ENVIRONMENTAL STEWARDSHIP

Objective 2, Tactics - add new Bullet Point - Support legislation that puts restrictions on polluting, because of the increased cost to Valley Water.

Objective 3 – change from over 20 years to “over 25 years.”

CLIMATE CHANGE

Tactics section, add new Bullet Point - Explore opportunities in our programs and projects for carbon sequestration, including ecosystem regeneration and reforestation.

BUSINESS MANAGEMENT

Request that the Board refer to the Diversity and Inclusion Ad Hoc Committee to review the current process used by staff to report concerns that is independent of line management.

It was moved by Director Estremera, seconded by Director Hsueh, with Director Eisenberg voting no, to recommend to the Board to approve the FY23 Board Work Plan, with revisions and additions identified by the Committee.

4.4 Review the Draft Board of Directors Code of Ethics and Conduct Policy and Provide Feedback or Other Direction..

BPPC Chair Hsueh continued this item to a special meeting in June.

4.5 Review Committee 2023 Work Plan and Meeting Schedule.

Michele King, Clerk of the Board, reviewed the updated work plan and meeting schedule.

5. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.

Michele King acknowledged that the Committee had taken action on Items 4.1 and 4.3 for board consideration, and provided input on 4.2, for staff to update and return to the Committee in August.

6. ADJOURNMENT

Chair Director Hsueh adjourned the meeting at approximately 3:40 p.m.

Michele L. King
Clerk of the Board

Approved:



BOARD POLICY AND PLANNING COMMITTEE MEETING

DRAFT MINUTES

Friday, June 30, 2023
2:00 PM

(Paragraph numbers coincide with agenda item numbers)

1. **CALL TO ORDER**

1.1 ROLL CALL

A special meeting of the Santa Clara Valley Water District (Valley Water) Board Policy and Planning Committee (Committee) was called to order at 2:00 p.m. on June 30, 2023.

Board Members in attendance: Director Nai Hsueh – District 5; Director Tony Estremera – District 6, constituting a quorum of the Committee. Director Rebecca Eisenberg – District 7, arrived as noted below.

Staff members in attendance: Rick Callender, Theresa Chinte, Michele King and Carlos Orellana.

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

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

3. **3.1 Review the Draft Board of Directors Code of Ethics and Conduct Policy and Provide**

Committee Chair Hsueh reviewed the information outlined in the memorandum and the Committee decided to review Attachment 1 line by line. Director Rebecca Eisenberg arrived.

The Committee provided the following input:

Introduction Section

Add reference to Governance Policy GP-7 to the Values statement on page 9.

A. Ethics Section

1. **Act in the Public Interest** – None.
2. **Comply with both the spirit and the letter of the Law and Board Governance Policy** - Change both occurrences of the word “discipline” to “self-control,” and add timely arrival to and start of meetings.
3. **Respect for Process** – Add reference to GP-12, after “public policy issues.”
4. **Conduct of Public Meetings** –
 - Add ethical before “fair” and, at the end, add “and shall avoid ad hominem attacks.” in GP-5.1.2 statement.
 - Remove “be” and change “prepared” to “prepare” in GP-6.5
5. **Decisions Based on Merit** – Add at the end “with the public interest in mind.”
6. **Communication** – Add the identity of the person who provided the information related to discussion at hand.

7. **Conflict of Interest** - Add "in accordance with applicable law, including but not limited to Valley Water's Conflict of Interest Code."
8. **Gifts and Favors** - Start with "In addition to complying with applicable law,"
9. **Confidential Information** - Better define "sensitive nature."
10. **Use of Public Resources** – None.
11. **Representation of Private Interests**. None.
12. **Advocacy** – Add to section, "Members are required to state they are speaking for themselves when doing so."
13. **Policy Role of Members** – None.
14. **Positive Work Place Environment** – Add "gender," before "racial" in third paragraph in GP-11.

B. Conduct Section

1. **Board Members Conduct with One Another** –

1(a) In Public Meetings

- Add texting/messaging during meetings.
- Add "unauthorized interruptions" and "no physical actions, such as finger-pointing at individuals" to *Practice civility and decorum in discussions and debate* section.
- Replace "Honor" with "Follow" the title line of *Honor the role of the Board Chair in maintaining order* section.
- Replace "represent" with "state" and add "when speaking on behalf of the Board" to the last sentence in the *Representing the Board* section.

1(b) In Private encounters – Add social media to the *Be aware of the insecurity of written notes, voicemail messages, and Email* section.

2. **Board Members Conduct with Valley Water Staff** –

- Add "BAOs" to the *Never publicly criticize an individual employee* section.
- Change the word "functions" to "details" in the *Do not get involved in administrative functions* section.

3. **Board Members Conduct with the Public**

3(a) In Public Meetings – change "devises" to "devices" in the *Active listening is significant* section.

3(b) In Unofficial Settings –

- In the second paragraph under *Make no promises on behalf of the board* section change the word "expect" to "except".
- In the *Make no personal comments about other Members* section, add the word "personal" before "comments".

3(c) Board Correspondence with the Public – Add approach to handling anonymous correspondence.

Add board correspondence process improvement language, stated by the Clerk, to this section.

C. Accountability

None.

D. Reporting Misconduct and Associated Enforcement and Consequences

Remove Consequence language.

It was a consensus of the Committee for the Chair to work with staff to incorporate revisions identified, share individually with the Committee members, and if additional review/edits are necessary, schedule on the August Committee Agenda for review and consideration to schedule for Board approval. If no additional review is necessary, the policy with edits identified by the Committee will be sent to the full Board for approval consideration.

The Committee agreed that Director Eisenberg's individual comments/revisions be documented in the Board agenda memo for the Board's information.

4. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.

There were no requests.

5. ADJOURNMENT

Chair Director Hsueh adjourned the meeting at approximately 5:15 p.m.

Michele L. King
Clerk of the Board

Approved:



Santa Clara Valley Water District

File No.: 23-0827

Agenda Date: 8/10/2023

Item No.: *4.1.

COMMITTEE AGENDA MEMORANDUM Board Policy and Planning Committee

Government Code § 84308 Applies: Yes ☐ No ☒
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Review the Draft Board of Directors Code of Ethics and Conduct Policy and Recommend Sending to Full Board for Review and Approval.

RECOMMENDATION:

Review the Draft Board of Directors Code of Ethics and Conduct Policy and Recommend Sending to Full Board for Review and Approval.

SUMMARY:

At the June 30, 2023, meeting the Board Policy and Planning Committee (Committee) reviewed the draft Board of Directors Code of Ethics and Conduct Policy (Policy) and provided feedback.

This item allows the Committee to review the draft Policy which includes the Committee's input and consider sending to the full Board for review and approval.

Below is a summary of incorporated changes (highlighted in Attachment 1 in green text), and notes of unincorporated suggestions and comments that were proposed by Committee members.

Introduction Section

- Change references of "Members" to "Directors" throughout the document
- Add reference to Governance Policy GP-7 to the Values statement

A. Ethics Section

1. Act in the Public Interest - None.
2. Comply with both the spirit and the letter of the Law and Board Governance Policy - Changed both occurrences of the word "discipline" to "self-control," and added "timely arrival to and start of meetings"
3. Respect for Process - Added "per GP-12"
4. Conduct of Public Meetings - In GP-5.1.2, added "ethical" and added "and shall avoid ad hominem attacks."

-
- In GP-6.5, removed “be” and changed “prepared” to “prepare”
5. Decisions Based on Merit - Added "with the public interest in mind."
 6. Communication - Added “including the identity of the person who provided the information”
 7. Conflict of Interest - Added "in accordance with applicable law, including but not limited to Valley Water's Conflict of Interest Policy."
 8. Gifts and Favors - Added "In addition to complying with applicable law"
 9. Confidential Information - NOTE: Suggestion to better define “sensitive nature”
 10. Use of Public Resources - NOTE: Suggestion to include “consultant time” as an additional example
 11. Representation of Private Interests - None.
 12. Advocacy - Added new section “Directors are required to state they are speaking for themselves when doing so.”
 13. Policy Role of Members - None.
 14. Positive Workplace Environment - In GP-11, added “gender”

B. Conduct Section

1. Board Members Conduct with One Another
 - 1(a) In Public Meetings
 - Under “Practice civility...” - Added “unauthorized interruptions, or physical actions, such as finger-pointing at other Directors”
 - Under “...role of the Board Chair”- Replaced “Honor” with “Follow”
 - Added a new section on “Texting, Emailing or Messaging Other Directors - Directors should refrain from texting, emailing or messaging other Directors during public meetings. Discussions should occur verbally on the dais.
 - Under “Representing the Board” - Replaced “represent” with “state.”
NOTE: Suggestion to clarify restrictions Directors have in their ability to speak on behalf of the Board.
 - 1(b) In Private encounters
 - Under “Be aware of the insecurity...” - Added “text messages and social media messages/posts”
2. Board Members Conduct with Valley Water Staff
 - Under “Never publicly criticize...” - Added “Board Appointed Officers (BAOs)”
 - Under “Do not get involved...” - Changed “functions” to “details”
3. Board Members Conduct with the Public
 - 3(b) In Unofficial Settings
 - Under “Make no personal comments...” - Added “personal”
 - 3(c) Board Correspondence with the Public
 - Added “The general Board email address, physical mailing address, and email addresses for each individual Director are all listed on the Valley Water website.”
 - NOTE: Suggestion to add approach to handling anonymous correspondence.
4. Board Member Conduct When Serving on External Committees/Boards and Personal Interests - None.

C. Accountability - None.

D. Reporting Misconduct and Associated Enforcement and Consequences
Remove Consequence language - Section removed.

ENVIRONMENTAL JUSTICE IMPACT:

There are no Environmental Justice impacts associated with this item.

ATTACHMENTS:

Attachment 1: Draft Code of Ethics and Conduct Policy

Attachment 2: Governance Policies

UNCLASSIFIED MANAGER:

Rick Callender, 408-630-2017



**SANTA CLARA VALLEY WATER DISTRICT
BOARD OF DIRECTORS
CODE OF ETHICS AND CONDUCT**

DRAFT 08/10/23

**SANTA CLARA VALLEY WATER DISTRICT
BOARD OF DIRECTORS
CODE OF ETHICS AND CONDUCT**

The Santa Clara Valley Water District (Valley Water) Board of Directors (Board) commits itself and its members to ethical, business-like, and lawful conduct, including proper use of authority and appropriate decorum when acting as Board Members (~~Members~~ Directors). (GP-6)

To assure public confidence in the integrity of the Board's commitment to its mission, governance, and its effective and fair operation, the Board has adopted a Code of Ethics and Conduct Policy (Policy). This Policy is designed to immerse Valley Water's Values (see below) into the Board's day-to-day actions and decision-making, and includes the following sections:

- A. Ethics
- B. Conduct
- C. Accountability
- D. Reporting Misconduct and Associated Enforcement and Consequences

Values (GP-7)

Valley Water believes, and will exemplify, the following values:

1. Valley Water is entrusted to serve the public by carrying out its mission for the benefit of the community.
2. Valley Water is committed to providing excellent service to all customers.
3. All individuals are unique and important and will be treated with fairness, dignity, and respect.
4. Valley Water takes pride in its work and is accountable to carry out its responsibilities safely with honesty and integrity.
5. Initiative, leadership, personal development, and training are vital for continuous improvement.
6. Open communication, cooperation, and teamwork are shared responsibilities and essential to the successful performance of Valley Water work.
7. Valley Water is committed to creating an inclusive work environment, which reflects and supports the diversity of the community and enriches our perspectives.
8. Valley Water strives to support a work culture and workplace environment that attracts and retains superior employees empowered to make decisions about, and take responsibility for, how they do their jobs.
9. Valley Water is committed to its employees and supports market based competitive compensation that is equitable and rewards accomplishment and encourages high performance.
10. Valley Water is committed to sustaining a healthy work-life balance for its employees and places a high value on all the things that provide enrichment and fulfillment, including work and career, health and fitness, family and relationships, spirituality, community service, hobbies and passions, intellectual stimulation, rest and recreation.

A. Ethics

The Ethics section of the Policy provides guidance on ethical issues and questions of right and wrong.

1. Act in the Public Interest.

(GP-3.1) The Board will produce the link between Valley Water and the public.

(GP-6.1) ~~Members~~ Directors must have loyalty to Valley Water and community and not be conflicted by loyalties to staff, other organizations or any personal interest.

2. Comply with both the spirit and the letter of the Law and Board Governance Policy.

(GP-2.4) The Board will enforce upon itself whatever ~~discipline~~ self-control is needed to govern with excellence. ~~Discipline~~ Self-control will apply to matters such as attendance, preparation for meetings, ~~timely arrival to and start of meetings~~, policymaking principles, respect of roles, decorum and ensuring the continuance of governance capability.

3. Respect for Process.

~~Members~~ Directors shall perform their duties in accordance with the processes and rules of order established by the Board of Directors governing the deliberation of public policy issues per GP-12, meaningful involvement of the public, and implementation of policy decisions.

4. Conduct of Public Meetings.

(GP-5.1.1) Board meeting discussion content will be only those issues which, according to Board policy, clearly belong to the Board to decide, not the BAOs.

(GP-5.1.2) Board deliberation will be ~~ethical~~, fair, open, and thorough, but also timely, orderly, and kept to the point ~~and shall avoid ad hominem attacks~~.

(GP-6.5) ~~Members~~ Directors will ~~be~~ properly ~~prepare~~ prepared for Board deliberation.

5. Decisions Based on Merit.

~~Members~~ Directors shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations ~~with the public interest in mind~~.

6. Communication.

~~Members~~ Directors shall verbally disclose any contact or receipt of substantive information they have received outside of the public decision-making process, ~~including the identity of the person who provided the information~~, that is relevant to a matter under consideration by the Board prior to considering that matter so that all parties have the opportunity to respond to that information.

7. Conflict of Interest.

(GP-6.2) ~~Members~~ Directors must avoid conflict of interest with respect to their fiduciary responsibility ~~in accordance with applicable law, including but not limited to Valley Water's Conflict of Interest Policy~~, and are obligated by virtue of their office to discharge their responsibilities with integrity and fidelity and are prohibited from placing themselves in a position where their private, personal interests may conflict with their official duties.

8. Gifts and Favors.

In addition to complying with applicable law, **Members Directors** shall refrain from accepting any gifts, favors or promises of future benefits which might compromise or appear to compromise their independence of judgement or action.

9. Confidential Information.

(GP-6.4) **Members Directors** will respect the confidentiality appropriate to issues of a sensitive nature.

(GP-6.4.1) No **Member Director** shall violate the confidentiality of a closed session discussion.

10. Use of Public Resources.

Members Directors shall not use public resources not available to the general public, such as Valley Water staff time, vehicles, equipment, supplies, land or facilities, for private gain or political or personal purposes.

11. Representation of Private Interests.

(GP-6.3.3.) No **Member Director** shall contact staff on behalf of a party who is bidding or intends to bid on a Valley Water contract or who has or intends to submit a response to a request for proposals or request for qualifications, nor shall a **Member Director** inquire about the identity of bidders or proposers prior to the time that staff has made a recommendation for selection of a contractor, vendor, or consultant. **Members Directors** are not prohibited from making general inquiries about the status of a particular procurement, or from providing a member of the public with information about the appropriate staff contact concerning procurement of goods and services by Valley Water.

(GP-6.3.4.) After issuance of a request for goods or services, **Members Directors** are prohibited from communicating with any current or potential vendor, supplier, contractor, or consultant, except as described in this paragraph, until after issuance by the Chief Executive Officer or his/her designee of a decision on any protest relating to the request for goods or services or resultant contract award. Any communications during this period shall be limited to matters unrelated to the request for goods or services or the contract award. Whenever the **Member Director** has communicated during the aforementioned period with any current or potential vendor, supplier, contractor, or consultant in violation of these restrictions, the name of the party, the date, and the content of the communications shall be disclosed at the next board meeting after the communication and noted in the minutes.

12. Advocacy.

(GP-6.3.2) **Members' Directors'** interaction with public, press or other entities must recognize the same limitation and the inability of any **Member Director** to speak for the Board except to repeat explicitly stated Board decisions.

(GP-9.3.1) **Members Directors** serving on external committees or other governing bodies shall serve in the best interest of Valley Water unless otherwise required by statute, ordinance, resolution or other legislative action.

Directors are required to state they are speaking for themselves when doing so.

13. Policy Role of Members.

(GP-6.3.1) **Members' Directors'** interaction with the BAOs or with staff must recognize the lack of authority vested in individual **Members Directors** except when explicitly Board authorized.

(GP-2.1) The Board will cultivate a sense of group responsibility. The Board will be responsible for excellence in governing. The Board will be the initiator of policy, not merely a reactor to initiatives. The Board may use the expertise of individual **Members Directors** to enhance the ability of the Board as a body, rather than to substitute the individual judgments for the Board's values.

(GP-2.2) The Board will direct, control, and inspire the organization through the careful establishment of broad written policies reflecting the Board's values and perspectives. The Board's major policy focus will be on the intended results, not on the administrative or programmatic means of attaining those effects.

(GP-6.3) **Members Directors** may not attempt to exercise individual authority over the organization.

14. **Positive Workplace Environment.**

(GP-11) The Board 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 Valley Water's ability to respond to the community we serve.

The Board understands that diversity is more than inclusion of **gender**, 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.

Accordingly:

(GP-11.1) The Board and its **Members Directors** will not discriminate, harass, or allow harassment against any applicant, employee, customer, or other person on the basis of sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding), race, religion, color, national origin (including language use restrictions), ancestry, religious creed (including religious dress and grooming practices, political affiliation, disability (mental and physical, including HIV or AIDS), medical condition (cancer and genetic characteristics), genetic information, marital status, parental status, gender, age (40 and over), pregnancy, military and veteran status, sexual orientation, gender identity and gender expression, the exercise of family and medical care leave, the exercise of pregnancy disability leave, or the request, exercise, or need for reasonable accommodation.

(GP-11.2) The Board commits itself and its **Members Directors** to support all actions necessary to make equal employment opportunity at Valley Water a reality for all.

(GP-11.3) The Board will require that the organization's work environment be one in which all people are welcomed and included, and in which all individuals are unique and important and are treated with fairness and dignity.

(GP-11.4) The Board will respect all people and seek to accommodate and learn from the different perspectives and values they contribute.

B. Conduct

This section is designed to describe the manner in which **Members Directors** should treat one another, Valley Water staff, constituents, and others they come into contact with when representing Valley Water.

The constant and consistent theme through all of the conduct guidelines is “respect.” **Members Directors** experience huge workloads and tremendous stress in making decisions that could impact thousands of lives. Despite these pressures, **Members Directors** are called upon to exhibit appropriate and respectful behaviors at all times.

The professional and personal conduct of **Members Directors** must be above reproach and avoid even the appearance of impropriety. **Members Directors shall support the maintenance of a positive and constructive environment for Valley Water Employees (GP-6.3.1).** **Members Directors** will refrain from abusive conduct, personal charges, or verbal assaults upon the character or motives of other Members, Valley Water employees, or the public.

1. **Board Members Conduct with One Another**

Members Directors have a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to support the community. In all cases, this common goal should be acknowledged even though individuals may “agree to disagree” on contentious issues.

1(a). In Public Meetings

Use formal titles

Members Directors should refer to one another formally during public meetings, Chair, Vice Chair or Director followed by the individual’s last name.

Practice civility and decorum in discussions and debate

Criticism is an essential component of democracy. This does not however, allow **Members Directors** to make belligerent, personal, slanderous, threatening, abusive, or disparaging comments. No shouting, **unauthorized interruptions or physical actions, such as finger pointing at other Directors**, that could be construed as threatening will be tolerated.

~~Honor~~ **Follow the role of the Board Chair in maintaining order**

It is the responsibility of the Board Chair to keep **Members Directors** on track during public meetings. **Members Directors** should honor efforts by the Board Chair to focus discussions on current agenda items. If there is disagreement about the agenda or the Board Chair’s actions, **Members Directors** should follow parliamentary procedure to voice their objections politely.

Avoid personal comments that could offend other Members

If a **Member Director** is personally offended by the remarks of another **Member Director**, the offended **Member Director** should note the actual words used and call for a ‘point of personal privilege’ that challenges the other **Member Director** to justify or retract their language. The Board Chair will maintain control of this discussion.

Demonstrate effective problem-solving approaches

Members Directors have a public state to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

Texting, Emailing or Messaging Other Directors

Directors should refrain from texting, emailing or messaging other Directors during public meetings. Discussions should occur verbally on the dais.

Representing the Board

Outside of official Board meetings, individual **Members Directors** may represent Valley Water to outside parties in announcing Board-stated positions and decisions. In private settings, **Members Directors** may communicate at any time and on any subject with individual **Members Directors** [less than a quorum] and may express to them individual viewpoints and opinions. In public, however, all **Members Directors** shall **represent state** the official policies or positions of the Board.

1(b). In Private Encounters

Continue respectful behavior in private

The same level of respect and consideration of differing points of view that is deemed appropriate for public discussion should be maintained in private conversations.

Be aware of the insecurity of written notes, voicemail messages, emails, text messages and social media messages/posts

Technology allows words written or said without much forethought to be distributed wide and far. Written notes, voicemail messages, emails, **text messages and social media messages/posts** should be treated as potentially “public” communications.

Even private conversations can have a public presence

Members Directors are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted. Cellular phones and other technologies allow for recording of these events with the potential for recorded conversations and actions being shared via social media.

2. Board Members’ Conduct with Valley Water Staff (GP 6.1)

Members Directors shall support the maintenance of a positive and constructive environment for Valley Water employees.

Treat all staff as professionals

Treat Valley Water staff with respect. Poor behavior towards staff is not acceptable.

Do not disrupt Valley Water staff from their jobs

Members Directors should not disrupt Valley Water staff while they are in meetings, on the phone, or engrossed in performing their job functions. Do not attend Valley Water staff meetings unless requested by staff – even if the **Member Director** does not say anything, his or her presence could intimidate staff and hampers their ability to do their job objectively.

Never publicly criticize an individual employee, including Board Appointed Officers (BAOs)

Members Directors should never express concerns about the performance of a Valley Water employee in public, to the employee directly, or to the employee’s manager. Comments about staff performance should only be made to the appropriate BAO privately.

Do not get involved in administrative functions details

Members Directors must not attempt to influence Valley Water staff on administrative **functions details**, i.e., making of appointments, hiring of employees, awarding of contracts, or selecting consultants, etc.

Do not solicit political support from staff

Members Directors should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from Valley Water staff. Valley Water staff may, as

private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace and outside of the employee's work hours.

3. Board Members' Conduct with the Public

Members Directors shall make the public feel welcomed. This is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual **Members Directors** toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

3(a). In Public Meetings

Be welcoming to speakers and treat them with respect and professionalism.

While questions of clarification may be asked, the **Member's Director's** primary role during public testimony is to listen.

Be fair and equitable in allocating public testimony time to individual speakers

No speaker will be turned away unless they exhibit disruptive behavior as outlined in [Ordinance 22-03 Specifying Rules of Decorum in the Participation of Board and Committee Meetings](#). Each speaker may only speak once during public comment and on individual board agenda items unless the Board Chair or a **Member Director** requests additional clarification on specific comments.

The Board Chair will determine and announce limits on speakers at the start of the Board Meeting. Questions should not be asked for the express purpose of allowing a speaker to evade the time limit imposed on all others (e.g., "Was there something else you wanted to say?"). Generally, each speaker will be allocated three minutes to speak during public comment and on individual board agenda items. If many speakers are anticipated, the Board Chair may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers.

Active listening is significant

It is disconcerting to speakers when **Members Directors** do not look at them when they are speaking. It is important to avoid facial expressions that could be interpreted as smirking, disbelief, anger, disrespect, or boredom. All electronic devices (cell phones and laptops) should be put away, except for the district-issued iPads necessary to access the published meeting agenda and personal notes.

Maintain an open mind

The public deserve an opportunity to influence the thinking of **Members Directors**. To express an opinion before all speakers have addressed the Board casts doubt on the Board's fairness. **Members Directors** have the responsibility to hear all viewpoints at a public meeting. **Members Directors** must always keep an open mind, and not rush to pre-judge any matter, until all concerned parties (including members of the public and staff) are heard during the public meeting. **Members Directors** must not come to a conclusion on a matter until members of the public in attendance have had a chance to speak.

Ask for clarification, but avoid debate and argument with the public

Only the Board Chair – not individual **Members Directors** – can interrupt a speaker during a presentation. However, a **Member Director** may ask the Board Chair for a point of order if the speaker is off the topic or exhibiting behavior or language the **Member Director** finds disturbing, as outlined in [Ordinance 22-03 Specifying Rules of Decorum in the Participation of Board and Committee Meetings](#). If speakers become flustered or defensive by questions, it is the responsibility of the Board Chair to calm and focus the speaker and to maintain order and decorum. Questions by members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle a speaker.

No personal attacks of any kind, under any circumstance

Members Directors should also be aware of their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

3(b). In Unofficial Settings

Make no promises on behalf of the Board

Members Directors will frequently be asked to explain a Board action or to give their opinion about an issue as they talk with community members. It is appropriate to give a brief overview of Valley Water policy and to refer to Valley Water staff for further information. It is inappropriate to overtly or implicitly promise Board action, or to promise that Valley Water staff will do something specific.

Members' Directors' interaction with the public, press or other entities must recognize the same limitations and the inability of any **Member Director** to speak for the Board ~~expect~~ **except** to repeat explicitly stated Board decisions. (GP-6.3.2)

*Make no personal comments about other **Members Directors***

It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory **personal** comments about other **Members Directors**, their opinions and actions.

Remember that Board Members are Leaders

Members Directors are constantly observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment at Valley Water. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by **Members Directors**, 24 hours a day, seven days a week. This is a serious and continuous responsibility.

3(c). Board Correspondence with the Public

The Board receives correspondence from constituents, political officials, organizations, and other groups, via mail, email and hand delivery. **The general Board email address, physical mailing address, and email addresses for each individual Director are all listed on the Valley Water website.** All correspondence is logged by the Office of the Clerk of the Board and handled in accordance with Board Governance Policy EL-2.6, which states a BAO shall provide correspondence addressed to the Board to each **Member Director** within 7 calendar days from receipt and respond with 14 calendar days of receipt. In those individual situations where it is not possible for the BAOs to respond completely to an inquiry, sending a response to the originator, acknowledging receipt of the inquiry, an explanation of actions being taken, and timelines for preparing the complete response, is acceptable for complying with this 14-day response time. Copies of all correspondence are forwarded to the entire Board via the weekly non-agenda packet. In addition, correspondence is immediately forwarded to the appropriate **Member Director** as an FYI, if the subject is relevant to their specific district. Correspondence requiring a response is assigned to the subject matter staff to prepare a draft response for the Board Chair or appropriate **Member Director** to approve and a copy of the response is provided in the weekly non-agenda packet for consistency with approved Board Governance Policy EL-2.6.

4. Board Member Conduct When Serving on External Committees/Boards and Personal Interests

Be clear about representing Valley Water or personal interests

When representing Valley Water, the **Member Director** must support and advocate the official Valley Water position on an issue, not a personal viewpoint.

C. Accountability

The Policy establishes guiding principles for appropriate conduct and behavior and sets forth the expectations for members of the Board of Directors.

The Policy is intended to be self-enforcing. **Members Directors** themselves have the primary responsibility to assure the Policy elements are understood and met. For this reason, current **Members Directors** and future elected/appointed **Members Directors** shall sign a statement affirming they read and understand the Policy. In addition, the Policy shall be annually reviewed by the Board of Directors and updated as necessary.

I affirm that I have read and that I understand, the Santa Clara Valley Water District Board of Directors Code of Ethics and Conduct Policy.

Signature _____ Office _____ Date _____

D. Reporting Misconduct and Associated Enforcement and Consequences

~~This section outlines the enforcement of and consequences to violations of the Policy.~~

~~The process used to report, enforce and investigate violations of this Policy shall be administered as outlined in Board Governance Policy GP-7 through GP-6.19.5.~~

Consequences

Admonition

~~Admonition is the least severe form of action. An admonition may typically be directed to all members of the Board, reminding them that a particular type of behavior is not in the best interests of Valley Water, and that, if it occurs or is found to have occurred, could make the Member subject to sanction or censure. An admonition may be issued in response to a particular alleged action or actions, although it would not necessarily have to be triggered by a complaint of misconduct. An admonition may be issued by the Board prior to any findings of fact regarding any complaint, and because it is a warning or reminder, would not necessarily require an investigation or separate public hearing to determine whether a complaint is true.~~

Sanction

~~Sanction is the next most severe form of action. Sanction should be directed to a particular member of the Board based on a particular action (or set of actions) that is determined to be misconduct but is considered by the Board not to be sufficiently serious to require censure. A sanction is distinguished from censure in that it does not constitute punishment. A written sanction may be based upon the Board's review and consideration of a written complaint. The Member accused of such misconduct will have an opportunity to provide a written response to the complaint. A sanction may be issued by the Board, and because it is not punishment or discipline, it would not necessarily require an investigation or separate public hearing.~~

Censure

~~Censure is the most severe form of action in this policy. Censure is a formal statement of the Board officially reprimanding one of its Members. It is a punitive action, which serves as a penalty imposed for misconduct, but it carries no fine or suspension of the rights of the Member/Director as an elected official. Censure should be used for cases in which the Board determines that the misconduct is a serious offense. In order to protect the overriding principle of freedom of speech, the Board shall not impose censure on any of its Members/Directors for the exercise of his or her First Amendment rights, no matter how distasteful the expression was to the Board or the District. However, nothing herein shall be construed to prohibit the Board from collectively condemning and expressing their strong disapprobation of such remarks.~~

Referral to District Attorney

~~At any point during any of the processes hereinafter described, the Board may refer the matter, as appropriate, to the Santa Clara County District Attorney for investigation. Prior to or following such referral, the Board may proceed with any of the actions described in this policy.~~

Governance Policies of the Board

I. Governance Process

Governance Policies of the Board

I. GOVERNANCE PROCESS

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Governance Policies of the Board

Title: Global Governance Commitment		
Category: Governance Process		
Policy No. GP-1	Adopted: October 19, 1999 Chair: Larry Wilson	Latest Revision: July 28, 2014 Chair: Tony Estremera
The Board of Directors revised and adopted this policy at its public meeting on the latest revision date.		

The purpose of the Board, on behalf of the people of Santa Clara County, is to see to it that the District provides Silicon Valley safe, clean water for a healthy life, environment, and economy.

In pursuit of this purpose, consistent with the District Act, the Board of the District adopts policies to govern its own processes; delegate its power; communicate the District mission, general principles, and Ends; and to provide constraints on executive authority.

Governance Policies of the Board

Title: Governing Style Category: Governance Process		
Policy No. GP-2	Adopted: June 15, 1999 Chair: Larry Wilson	Latest Revision: August 18, 2015 Chair: Gary Kremen
The Board of Directors revised and adopted this policy at its public meeting on the latest revision date.		

The Board will govern with an emphasis on (a) outward vision, (b) encouragement of diversity in viewpoints, (c) strategic leadership more than administrative detail, (d) clear distinction of Board and Board Appointed Officer (BAO), (e) collective rather than individual decisions, (f) future rather than past or present, and (g) pro-activity rather than reactivity.

Accordingly:

- 2.1. The Board will cultivate a sense of group responsibility. The Board will be responsible for excellence in governing. The Board will be the initiator of policy, not merely a reactor to initiatives. The Board may use the expertise of individual members to enhance the ability of the Board as a body, rather than to substitute the individual judgments for the Board's values.
- 2.2. The Board will direct, control, and inspire the organization through the careful establishment of broad written policies reflecting the Board's values and perspectives. The Board's major policy focus will be on the intended results, not on the administrative or programmatic means of attaining those effects.
- 2.3. The Board will further inform itself, individually and collectively, through extensive outreach to determine community wishes and through continuing education on issues relevant to the District.
- 2.4. The Board will enforce upon itself whatever discipline is needed to govern with excellence. Discipline will apply to matters such as attendance, preparation for meetings, policymaking principles, respect of roles, decorum and ensuring the continuance of governance capability.
 - 2.4.1. Board members may be excused from Board or Board Committee meetings, as defined:
 - Illness or incapacity
 - Illness or incapacity of an immediate family member
 - Jury duty
 - Observance of a religious holiday or ceremony
 - Vacation
 - Conducting District business

Governance Policies of the Board

- 2.4.2. For all absences, the Board member shall notify the Clerk of the Board prior to the Board or Board Committee meeting in which they will be absent with the reason for the absence. The Clerk of the Board will subsequently notify the Chair of the absence and the reason.
- 2.4.3. In the event of an emergency, in which a Board member is unable to provide advance notification, after the Board or Board Committee meeting, notification will be provided to the Clerk of the Board within 30 days.
- 2.5. Continual Board development will include orientation of new Board members in the Board's governance process and periodic Board discussion of process improvement.
- 2.6. The Board will allow no officer, individual, or committee of the Board to hinder or be an excuse for not fulfilling its commitments.
- 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.
 - 2.7.1. The Board will conduct a Board performance review by the end of March for the previous calendar year and will conduct a mid-year review of Board performance by the end of September.
- 2.8. While serving as a member of the Board of Directors, and for one year immediately following the end of the Board member's term of office, no Board member shall seek or accept compensated employment by the District.
- 2.9. The Board, by ordinance, will adopt regulations governing the activities of persons who lobby the District. Those regulations shall include provisions requiring registration of lobbyists, reporting requirements governing the activities of lobbyists and communications with Board members, and disclosure by Directors of contact with lobbyists prior to voting on matters related to the contact. This ordinance will be adopted no later than July 1, 2010. The list of registered lobbyists will be posted on the District website, for openness and transparency.

Governance Policies of the Board

Title: Board Job Description		
Category: Governance Process		
Policy No. GP-3	Adopted: June 15, 1999 Chair: Larry Wilson	Latest Revision: April 27, 2021 Chair: Tony Estremera
The Board of Directors revised and adopted this policy at its public meeting on the latest revision date.		

Specific job outputs of the Board, as an informed agent of the ownership, are those that ensure appropriate organizational performance.

Accordingly:

- 3.1. The Board will produce the link between the District and the public.
- 3.2. The Board will produce written governing policies which, at the broadest levels, address each category of organizational decision.
 - 3.2.1. Governance Process: Policies that specify how the Board conceives, carries out, and monitors its own task.
 - 3.2.2. Board Appointed Officer Linkage: Policies that define how power is delegated and its proper use monitored; for the Chief Executive Officer (CEO), District Counsel (DC), and Clerk of the Board (COB) roles, authority and accountability.
 - 3.2.3. Ends: Policies that define who is to benefit from the organization, in what way, or at what cost.
 - 3.2.4. Executive Limitations: Policies that constrain the BAO's authority in choosing the organizational means.
- 3.3. The Board will produce assurance of BAO performance.
- 3.4. In June of each year the Board will approve BAO compensation and benefit decisions at a public meeting and will enact such decisions by Board resolution.
 - 3.4.1. To ensure there are no compaction issues with unclassified staff compensation, the Board will adjust the BAOs' compensation scale at the same time the Board adopts the Classified Employees and Unrepresented Employees Salary Structure.

Governance Policies of the Board

- 3.4.2 Annually, BAO compensation will be determined using a two-step performance evaluation process that considers job accomplishments, monitoring reports, other information, including the financial health of the District, and other methods deemed appropriate by the Board.

3.4.2.1 The Board will use the following scale to document the BAOs' fiscal year performance (Step 1):

Step 1. Evaluate BAOs' performance using the following scale:

Performance Level 1: Sustained outstanding performance
Performance Level 2: Performance usually exceeds expectations
Performance Level 3: Performance expected at full professional level
Performance Level 4: Usually meets expectations-improvements needed
Performance Level 5: Significant improvement required
Performance Level 6: Unsatisfactory

3.4.2.2 BAOs' compensation for the following fiscal year will be determined according to their individual performances levels as shown below (Step 2):

Step 2. Match compensation with performance level:

Performance Level 1: High point of compensation scale plus one-time extra performance pay
Performance Level 2: High point of compensation scale
Performance Level 3: Between Mid-point and High point of compensation scale
Performance Level 4: Mid-point of compensation scale
Performance Level 5: Low point of compensation scale
Performance Level 6: Employment termination consideration

- 3.4.3. In determining BAO compensation and benefits, the Board may consider data from Board authorized studies of other similarly situated employees in relevant industry comparator agencies.

3.4.4 This Governance Policy Section (GP-3.4) is not applicable when recruiting new BAOs.

- 3.5. The Board will approve or deny nominations to name or rename District-owned land, facilities, and amenities in accordance with the Naming of District-Owned Land, Facilities, and Amenities procedure.

Governance Policies of the Board

Governance Policies of the Board

Title: Governance Policy Review Process and Agenda Planning		
Category: Governance Process		
Policy No. GP-4	Adopted: June 15, 1999 Chair: Larry Wilson	Latest Revision: August 18, 2015 Chair: Gary Kremen
The Board of Directors revised and adopted this policy at its public meeting on the latest revision date.		

To govern consistent with Board policies, the Board will:

- 4.1. Conduct an annual review of the Board Governance Policies and adopt new or revised policies by the end of September.
- 4.2. Adopt a Board Policy Planning Calendar for the upcoming fiscal year by the end of June and conduct a mid-year review of the Board Policy Planning Calendar by the end of December, and other reviews when determined necessary by the Board.
 - 4.2.1. The Board's Policy Planning Calendar will include regular and special Board meetings and Board work study sessions, as necessary, to provide the Board with information and education needed to perform its job of linkage with community, setting policies and monitoring organization performance, and engaging with its Advisory Committees.
 - 4.2.2. Examples of items on the Board's Policy Planning Calendar are upcoming fiscal year's budget planning agenda items.
 - 4.2.3. Board's Policy Planning Calendar is intended to be a living document for the designated fiscal year and will be updated regularly.
- 4.3. At the same time and place designated in the public notice for budget review, the Board shall review its financial reserves, including the justification, therefore, and an overview of its reserve management policy. The Board shall receive comments thereon from the public before acting on the budget.

Governance Policies of the Board

Title: Chairperson's Role Category: Governance Process		
Policy No. GP-5	Adopted: September 7, 1999 Chair: Larry Wilson	Latest Revision: February 22, 2022 Chair: Gary Kremen
The Board of Directors revised and adopted this policy at its public meeting on the latest revision date.		

The Chairperson assures the integrity of the Board's process and represents the Board to outside parties.

Accordingly:

- 5.1. The job result of the Chairperson is that the Board behaves consistently with its own policies and those legitimately imposed upon it from outside the organization.
 - 5.1.1. Board meeting discussion content will be only those issues which, according to Board policy, clearly belong to the Board to decide, not the BAOs.
 - 5.1.2. Board deliberation will be fair, open, and thorough, but also timely, orderly, and kept to the point.
- 5.2. The authority of the Chairperson consists in making decisions that fall within topics covered by Board policies on Governance Process and Board Appointed Officer Linkage, with the exception of (a) employment or termination of a BAO and (b) where the Board specifically delegates portions of this authority to others. The Chairperson is authorized to use any reasonable interpretation of the provisions in these policies.
 - 5.2.1. The Chairperson is empowered to chair Board meetings with all the commonly accepted power of that position (e.g., ruling, recognizing).
 - 5.2.2. The Chairperson is empowered to modify previously approved Board Standing Committee work plans and agendas in the event returning to the Board would delay distribution of Standing Committee meeting materials.
 - 5.2.3. The Chairperson has no authority to make decisions about policies created by the Board within Ends and Executive Limitations policy areas. Therefore, the Chairperson has no authority to supervise or direct the BAOs.

Governance Policies of the Board

- 5.2.4. The Chairperson may represent the Board to outside parties in announcing Board-stated positions and in stating Chair decisions and interpretations within the area delegated to her or him.
- 5.2.5. The Chairperson may delegate this authority but remains accountable for its use.
- 5.2.6. The Chairperson will determine, in concert with the CEO as necessary, whether to place on an agenda consideration of documents of support or recognition (e.g., resolutions, commendations, certificates of appreciation, etc.) for individuals, organizations or efforts in the community by evaluating whether the individual, organization or effort has a clear nexus to issues relevant to the District.
 - 5.2.6.1. A Board member may, at his or her discretion, request the CEO to prepare for the Board member's signature a Certificate of Appreciation for an individual, organization, or effort. The Chair may also sign the certificate.
 - 5.2.6.2. No more than three Board members may sign one of the above-mentioned documents, unless the action was approved by the Board at a Board meeting.
 - 5.2.6.3. Should there be disagreement between the Chair and a Board member over a request for placement of any of the above-mentioned documents on an agenda, the Board member may request that the matter be placed on the next available Board agenda for consideration.
- 5.2.7. The Chair may add agenda items to agendas.
- 5.2.8. The Chair may execute documents on behalf of the Board using electronic and/or digital signatures (such as DocuSign) as allowed by law in lieu of handwritten signatures, including the following Board-approved documents:
 - Agreements
 - Agreement Amendments
 - Contracts
 - Resolutions (excluding Resolutions of Appreciation) Ordinances
 - Board Meeting Minutes
 - Letters

- 5.3. The Board of Directors elects both the Chairperson (Chair) and Vice Chairperson (Vice Chair) of the Board. The Chair and Vice Chair each serve 1-year terms beginning at the first Board meeting in January of each year.

Governance Policies of the Board

Accordingly:

- 5.3.1. Beginning in the calendar year 2012, the positions of Chair and Vice Chair shall rotate from member to member in numerical order continuing from the 2010 rotation: the District 4 Director would be Chair and District 5 Director would be Vice Chair; the Vice Chair follows the Chair in sequence.
- 5.3.2. Any Board member may, at his/her discretion, and on a one-time basis, postpone, by one year, the acceptance of either the Chair or Vice Chair office by “swapping” with the Director immediately following him/her on the list of succession.
 - 5.3.2.1. Provided, however, that newly-elected or appointed Board members will postpone, by one year, the acceptance of the Chair office by “swapping” with the Director immediately following him/her on the list of succession.
- 5.3.3. Any Board member may, at his/her discretion, decline to serve as Chair or Vice Chair. In the event the Board member declines to serve, that District shall be skipped and the next District Board member shall serve in their stead.
- 5.3.4. The Clerk of the Board shall maintain the list of Board member service as Chair or Vice Chair.

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Title: Board Members' Code of Conduct Category: Governance Process		
Policy No. GP-6	Adopted: June 15, 1999 Chair: Larry Wilson	Latest Revision: July 28, 2020 Chair: Nai Hsueh
The Board of Directors revised and adopted this policy at its public meeting on the latest revision date.		

The Board commits itself and its members to ethical, business-like, and lawful conduct, including proper use of authority and appropriate decorum when acting as Board members.

Board members who do not adhere to this code of conduct may be subject to the procedures of GP-6.7 through GP-6.9 listed below.

- 6.1. Members must have loyalty to the District and community and not be conflicted by loyalties to staff, other organizations or any personal interest.
- 6.2. Members must avoid conflict of interest with respect to their fiduciary responsibility and are obligated by virtue of their office to discharge their responsibilities with integrity and fidelity and are prohibited from placing themselves in a position where their private, personal interest may conflict with their official duties.
- 6.3. Board members may not attempt to exercise individual authority over the organization.
 - 6.3.1. Members' interaction with the BAOs or with staff must recognize the lack of authority vested in individual members except when explicitly Board authorized. Board members shall refrain from abusive conduct, personal charges or verbal assaults upon the character or motives of other members of the Board, committees, commissions, staff and the public. Board members shall support the maintenance of a positive and constructive environment for District employees.
 - 6.3.2. Members' interaction with public, press or other entities must recognize the same limitation and the inability of any Board member to speak for the Board except to repeat explicitly stated Board decisions.
 - 6.3.3. No member shall contact staff on behalf of a party who is bidding or intends to bid on a District contract or who has or intends to submit a response to a request for proposals or request for qualifications, nor shall a Director inquire about the identity of bidders or proposers prior to the time that staff has made a recommendation for selection of a contractor, vendor, or consultant. Members are not prohibited from making general inquiries about the status of a particular

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procurement, or from providing a member of the public with information about the appropriate staff contact concerning procurement of goods and services by the District.

6.3.4. After issuance of a request for goods or services, Board members are prohibited from communicating with any current or potential vendor, supplier, contractor, or consultant, except as described in this paragraph, until after issuance by the Chief Executive Officer or his/her designee of a decision on any protest relating to the request for goods or services or resultant contract award. Any communications during this period shall be limited to matters unrelated to the request for goods or services or the contract award. Whenever the member has communicated during the aforementioned period with any current or potential vendor, supplier, contractor, or consultant in violation of these restrictions, the name of the party, the date, and the content of the communications shall be disclosed at the next board meeting after the communication and noted in the minutes.

6.4. Members will respect the confidentiality appropriate to issues of a sensitive nature.

6.4.1. No member shall violate the confidentiality of closed session discussion.

6.5. Members will be properly prepared for Board deliberation.

6.6. The Board may not authorize severance pay for a Board-appointed employee of the District when the employee voluntarily separates from District employment. "Severance pay" does not include any otherwise lawful payment required to be paid by the District under a pre-existing employment agreement or under a separation and release agreement resolving a claim or claims made or threatened against the District. The Board shall not agree to amend an employment contract after the employee announces or requests a voluntary separation, except upon a Board determination, in open session, that an adjustment in compensation is required to retain the employee and is in the best interest of the District.

6.7. This policy applies to the Santa Clara Valley Water District Board of Directors and the following procedures shall be followed when any member of the Board of Directors reasonably believes that another member of the Board has engaged in misconduct or has failed to act in the best interests of the District. The procedures shall not be effective in any case in which a non-board member seeks redress for alleged misconduct by a Board member. While the Board has discretion in deciding the actions it may choose to take in response to a complaint, this policy provides definitions and procedures related to three types of actions: admonition, sanction and censure.

6.7.1. Admonition

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Admonition is the least severe form of action. An admonition may typically be directed to all members of the Board, reminding them that a particular type of behavior is not in the best interests of the District, and that, if it occurs or is found to have occurred, could make the member subject to sanction or censure. An admonition may be issued in response to a particular alleged action or actions, although it would not necessarily have to be triggered by a complaint of misconduct. An admonition may be issued by the Board prior to any findings of fact regarding any complaint, and because it is a warning or reminder, would not necessarily require an investigation or separate public hearing to determine whether a complaint is true.

6.7.2. Sanction

Sanction is the next most severe form of action. Sanction should be directed to a particular member of the Board based on a particular action (or set of actions) that is determined to be misconduct but is considered by the Board not to be sufficiently serious to require censure. A sanction is distinguished from censure in that it does not constitute punishment. A written sanction may be based upon the Board's review and consideration of a written complaint. The member accused of such misconduct will have an opportunity to provide a written response to the complaint. A sanction may be issued by the Board, and because it is not punishment or discipline, it would not necessarily require an investigation or separate public hearing.

6.7.3. Censure

Censure is the most severe form of action in this policy. Censure is a formal statement of the Board officially reprimanding one of its members. It is a punitive action, which serves as a penalty imposed for misconduct, but it carries no fine or suspension of the rights of the member as an elected official. Censure should be used for cases in which the Board determines that the misconduct is a serious offense. In order to protect the overriding principle of freedom of speech, the Board shall not impose censure on any of its members for the exercise of his or her First Amendment rights, no matter how distasteful the expression was to the Board or the District. However, nothing herein shall be construed to prohibit the Board from collectively condemning and expressing their strong disapprobation of such remarks.

6.7.4. Referral to District Attorney

At any point during any of the processes hereinafter described, the Board may refer the matter, as appropriate, to the Santa Clara County District Attorney for investigation. Prior to or following such referral, the Board may proceed with any of the actions described in this policy.

6.8. Available Procedures for addressing Misconduct

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There are four separate methods for the Board to address Board member misconduct under this Policy: (1) written complaint; (2) request for admonition; (3) request for sanction; and (4) request for censure. Written complaints that specifically seek admonition, sanction, or censure as a specific remedy shall be treated as a request for that remedy (admonition, sanction, or censure), and the provisions of sections GP-6.9 and GP-6.10 shall not apply.

6.9. Written Complaints

In the event a Board member reasonably believes another Board member has failed to act in the best interests of the District resulting in misconduct, a written complaint shall be submitted to the Chief People Officer. Upon receipt, the Chief People Officer, Human Resources Division shall transmit the complaint to the District Counsel for review. The District Counsel shall review complaints to determine whether there is a sufficient basis for further action.

6.9.1. If a complaint fails to articulate a sufficient basis for further consideration, the complainant and the accused Board member will be so advised by the District Counsel, and the matter shall be deemed concluded.

6.9.2. If a complaint adequately articulates a sufficient basis for further action, the District Counsel shall present the complaint to the Board Ethics and Conduct Ad Hoc Committee (the "Committee"), which shall be comprised of the Chair and two members of the Board. In the event the subject of a complaint is the Chair or any member of the Committee, the Board shall select another Board member to serve on the Committee in that member's stead. The District Counsel may recommend to the Committee that:

6.9.2.1. Fact finding as to the complaint should be conducted; or

6.9.2.2. Informal resolution of the complaint should occur; or

6.9.2.3. An independent investigation of the complaint should occur.

6.10. Prior to any determination by the Committee to proceed with an investigation, the accused Board member must be given a reasonable opportunity to meet with the Committee or to provide a written response to the complaint. In deciding whether or not to open an investigation, the Committee should consider:

6.10.1. Whether an investigation may compromise investigations regarding the same alleged misconduct, whether the misconduct may result in criminal charges, and whether the right of the accused Board member to a fair jury trial may be compromised by proceeding with an investigation.

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- 6.10.2. Whether persons involved in the allegations may choose to exercise their constitutional right against self-incrimination, which may limit the investigation's ability to present a full and impartial picture of alleged events.
- 6.10.3. Whether measures can be taken to protect the rights of the member accused of misconduct, the member making such allegations, and those who have information regarding the allegations.

6.11. Investigations

- 6.11.1. If the Committee determines that an investigation is warranted, upon notification of the Board, District Counsel may be directed to conduct the investigation. District Counsel may select and manage an independent investigator to assist in conducting the investigation.
- 6.11.2. In the course of the investigation, District Counsel shall determine the process by which statements are taken. District Counsel may allow witnesses to choose to provide a signed declaration under penalty of perjury attesting to their knowledge of the facts surrounding the complaint.
- 6.11.3. At the conclusion of the investigation, the results of the investigation shall be presented in writing to the Committee and CEO. If the Committee is satisfied with the completeness of the investigation, it shall provide the Board with its findings and any recommendations. Following such findings and recommendations, any individual Board member may file a request for admonition, sanction, or censure.
- 6.11.4. If the Committee determines that an investigation is not warranted, the complainant and the Board shall be notified. Following such notification, any Board member may file a request for admonition, sanction, or censure.
- 6.11.5. Should any Board member file a request for admonition, sanction, or censure following investigation, the Committee shall submit to the Board a recommendation as set forth in sections GP-6.12.2, GP-6.13.2, or GP-6.14.2, below, and the matter shall thereafter be considered by the Board at its next public meeting subject to the restrictions of section GP-6.14.5, below.

6.12. Request for Admonition

- 6.12.1. Any Board member may make a written request for an admonition which must be submitted to the Committee. The request must contain specific language descriptive of the alleged

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misconduct and the reason(s) admonition is appropriate. A copy of the request for admonition shall be provided to the Board member accused of the misconduct.

6.12.2. The Committee shall review the request and submit it to the Board with a recommendation. The Committee's recommendation shall provide:

6.12.2.1. Admonition is warranted; or

6.12.2.2. Admonition is not warranted; or

6.12.2.3. No further action is required.

6.12.3. A recommendation by a majority of the Committee shall be based on the Committee's review of the written record.

6.12.4. An admonition can be approved by a majority of the Board.

6.13. Request for Sanction

6.13.1. Any Board member may make a written request for sanction which must be submitted to the Committee. The request must contain specific language descriptive of the alleged misconduct and the reason(s) sanction is appropriate. A copy of the request for sanction shall be provided to the Board member accused of the misconduct by personal service within five (5) business days from the date the Committee receives the request. The time for service shall be tolled if the Board member is unavailable for service.

6.13.2. The Committee shall review the request and determine if an investigation is warranted. Following the investigation, or if no investigation was undertaken, following review of the request, the Committee shall submit the request to the Board with a recommendation. The Committee's recommendation shall provide:

6.13.2.1. Admonition, rather than sanction is warranted; or

6.13.2.2. Sanction is warranted; or

6.13.2.3. No further action is warranted.

6.13.3. A recommendation by a majority of the Committee shall be based on the Committee's review of the written record.

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6.13.4. The Committee's recommendation shall be subject to a majority vote of the Board.

6.14. Request for Censure

6.14.1. Any Board member may make a written request for a censure which must be submitted to the Committee. The request must contain specific language descriptive of the alleged misconduct and the reason(s) censure is appropriate. A copy of the request for censure shall be served on the Board member accused of the misconduct by personal service within five (5) business days from the date the Committee receives the written request. The time for service shall be tolled if the Board member is unavailable for service.

6.14.2. The Committee shall review the request and submit the request to the Board with a recommendation. The Committee's recommendation shall provide:

6.14.2.1. Further investigation of the request for censure is required; or

6.14.2.2. Admonition or sanction is warranted; or

6.14.2.3. The request for censure should be set for a separate Board public hearing; or

6.14.2.4. No further action is required.

6.14.3. A recommendation by a majority of the Committee shall be based on the Committee's review of the written record.

6.14.4. If the Board determines that further investigation is required, the Board shall direct the Committee to lead the investigation which may be assisted by the CEO and District Counsel. The following guidelines apply to such an investigation:

6.14.4.1. The Committee may be assisted by a separate independent investigator.

6.14.4.2. Upon completion of the investigation, the Committee should determine if taking all the facts and evidence into consideration, there are reasonable grounds to believe or not believe that the misconduct occurred.

6.14.4.3. The Committee shall issue to the Board a final a report and recommendation as approved by a majority of the Committee. The Committee's final report shall be made available to the public.

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6.14.5. If a separate Board public hearing is required, it must be scheduled far enough in advance to provide the Board member subject to the charges adequate time to prepare a defense, and that Board member shall be given the opportunity to make an opening and closing statement and to question his or her accusers. The Board member subject to the charges may be represented and may have the representative speak or question on his/her behalf. The Chair or Vice Chair, if the Chair is the subject of the charges, shall preside at the public hearing. The rules of evidence shall not apply to the hearing of the matter, which is not a formal adversarial proceeding. If the District Counsel has assisted Board members in the investigation, independent legal counsel shall provide legal advice to the Board during the hearing of the matter.

6.14.6. A decision to censure requires the adoption of a resolution making findings with respect to the specific charges, based on substantial evidence and approved by a two-thirds vote of Board.

6.15. Complaints from non-Board members

This policy applies to the Santa Clara Valley Water District Board of Directors and the following procedure shall be followed when a non-Board member files a written complaint stating his/her reasonable belief that a member of the Board has acted or failed to act in the best interests of the District resulting in misconduct. While the Board has discretion in deciding the actions it may choose to take in response to such a complaint, this policy provides definitions and procedures related to three types of actions: admonition, sanction and censure as defined in sections GP-6.7.1, GP-6.7.2., and GP-6.7.3, of this policy.

6.16. At any point during any of the processes hereinafter described, the Board may refer the matter as appropriate to the Santa Clara County District Attorney for investigation. Following such referral, the Board may proceed with any of the actions described in this policy.

6.17. This policy applies to the Santa Clara Valley Water District Board of Directors and the following procedures shall be followed when a non-Board member reasonably believes that a member of the Board has acted or failed to act in the best interests of the District resulting in misconduct. A written complaint signed by the complainant shall be filed with the Chief People Officer, Human Resources Division. Upon receipt, the Chief People Officer shall transmit the complaint to the Chief Executive Officer (CEO) and the District Counsel for review. The CEO and District Counsel shall review the complaint to determine whether there is a sufficient basis for further action.

6.17.1. If a complaint fails to articulate a sufficient basis for further consideration, the complainant and the accused Board member will be so advised and the matter shall be deemed concluded.

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6.17.2. If a complaint adequately articulates a sufficient basis for further action, the CEO and District Counsel shall present the complaint to the Chair of the Board. In the event the subject of the complaint is the Chair, the Vice Chair shall be presented with the complaint. The CEO and District Counsel may recommend to the Chair or Vice Chair that:

6.17.2.1. Fact finding as to the complaint should be conducted; or

6.17.2.2. Informal resolution of the complaint should occur; or

6.17.2.3. An independent investigation of the complaint should occur.

6.18. Prior to the determination by the Chair or Vice Chair to proceed with an investigation, the accused Board member must be given a reasonable opportunity to meet with the Chair or Vice Chair or to provide a written response to the complaint. In deciding whether or not to open an investigation, the Chair or Vice Chair should consider:

6.18.1. Whether an investigation may compromise investigations regarding the same alleged misconduct and if the misconduct may result in criminal charges, whether the right of the accused Board member to a fair jury trial may be compromised by proceeding with an investigation.

6.18.2. If persons involved in the allegation may choose to exercise their constitutional right against self-incrimination, which may limit the investigation's ability to present a full and impartial picture of the alleged events.

6.18.3. Measures to protect the rights of the member accused of misconduct, the non-Board member making such allegations, and those who have information regarding the allegations.

6.19. Investigations

6.19.1. If the Chair or Vice Chair determines that an investigation is warranted, upon notification of the Board, District Counsel may be directed to conduct an investigation, and District Counsel may select and manage an independent investigator to assist in conducting such investigation.

Alternatively, at the discretion of the Chair or Vice Chair, the Board's Ethics and Conduct Ad Hoc Committee (as described in Section 6.9.2 of the Board's Governance Policies) shall select an independent investigator to conduct the investigation.

6.19.2. In the course of the investigation, District Counsel shall determine the process by which statements are taken. A witness may choose to provide a signed declaration under penalty of perjury attesting to his/her knowledge of the facts surrounding the complaint. Within ninety

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(90) days of the date an investigation begins, District Counsel shall inform the Board of the investigation's progress. Investigations should be completed within six (6) months from the date the investigation begins; however, in the event the investigation cannot be completed within the six (6) month time period, District Counsel shall so notify the Board.

- 6.19.3. At the conclusion of the investigation, the results of the investigation shall be presented in writing to the Chair or Vice Chair. If the Chair or Vice Chair is satisfied with the completeness of the investigation, the Chair or Vice Chair shall provide the Board with findings and any recommendations. Following such findings and recommendation, any individual Board member may file a request for admonition, sanction, or censure.
- 6.19.4. If the Chair or Vice Chair determines that an investigation is not warranted, the complainant and the Board shall be notified. Following such notification, any Board member may file a request for admonition, sanction, or censure as set forth in sections GP-6.12, GP-6.13, or GP-6.14 of this policy, save and except that whenever the term "Committee" appears therein, the term "Chair" or "Vice Chair" shall be applicable.
- 6.19.5. Should any Board member file a request for admonition, sanction, or censure following the Chair or Vice Chair's findings and recommendations or determination that an investigation is not warranted as set forth in sections GP-6.19.1 through GP-6.19.4 above, the matter shall thereafter be considered by the Board at its next public meeting subject to the restrictions of section GP-6.14.5, above.

Governance Policies of the Board

Title: Values Statement Category: Governance Process		
Policy No. GP-7	Adopted: June 15, 1999 Chair: Larry Wilson	Latest Revision: August 8, 2017 Chair: John L. Varela
The Board of Directors revised and adopted this policy at its public meeting on the latest revision date.		

The values of the Board reflected throughout Board policies are as follows:

The Santa Clara Valley Water District believes, and will exemplify, the following values:

- 7.1. The District is entrusted to serve the public by carrying out its mission for the benefit of the community.
- 7.2. The District is committed to providing excellent service to all customers.
- 7.3. All individuals are unique and important and will be treated with fairness, dignity, and respect.
- 7.4. The District takes pride in its work and is accountable to carry out its responsibilities safely with honesty and integrity.
- 7.5. Initiative, leadership, personal development, and training are vital for continuous improvement.
- 7.6. Open communication, cooperation, and teamwork are shared responsibilities and essential to the successful performance of District work.
- 7.7. The District is committed to creating an inclusive work environment, which reflects and supports the diversity of the community and enriches our perspectives.
- 7.8. The District strives to support a work culture and workplace environment that attracts and retains superior employees empowered to make decisions about, and take responsibility for, how they do their jobs.
- 7.9. The District is committed to its employees and supports market based competitive compensation that is equitable and rewards accomplishment and encourages high performance.
- 7.10. This District is committed to sustaining a healthy work-life balance for its employees and places a high value on all the things that provide enrichment and fulfillment, including work and career, health and

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fitness, family and relationships, spirituality, community service, hobbies and passions, intellectual stimulation, rest and recreation.

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Title: Board Committee Principles Category: Governance Process		
Policy No. GP-8	Adopted: June 15, 1999 Chair: Larry Wilson	Latest Revision: July 28, 2014 Chair: Tony Estremera
The Board of Directors revised and adopted this policy at its public meeting on the latest revision date.		

The District Act provides for the creation of advisory boards, committees, or commissions by resolution to assist the Board in performing its job, as defined.

Accordingly, the Board may establish the following type of Board Committees to assist it with policy advice, District Mission implementation, respective expertise, and, very importantly, to help produce the link between the District and the community:

Board Standing Committee – A Committee created by ordinance, resolution, or formal action of the Board comprised of less than a quorum of the Board and/or external members having continuing subject matter jurisdiction or a meeting schedule fixed by ordinance, resolution, or formal action. Annually, the purpose of an established Standing Committee will be reviewed to determine its relevance.

Board Ad Hoc Committee – A Committee comprised of less than a quorum of the Board and/or external members having a limited term, to accomplish a specific task, is established in accordance with the Board Ad Hoc Committee procedure (Procedure No. W723S01), and will be used sparingly. Annually, the purpose of an established Ad Hoc Committee will be reviewed to determine its relevance.

In keeping with the Board's broader focus, Board Committees will not direct the implementation of District programs and projects, other than to receive information and provide advice and comment.

Accordingly:

- 8.1. When used, Board Standing Committees and Board Ad Hoc Committees will be established so as to reinforce the wholeness of the Board's job and so as to never interfere with delegation from the Board to the BAOs.
 - 8.1.1. Board Standing Committees and Board Ad Hoc Committees are established for a specific purpose as defined by the Board. The committees' purpose may also include a definition in authority and limitation in duration. Expectations and authority will be carefully stated in order not to conflict with authority delegated to the BAOs.

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- 8.1.2. Board Standing Committees and Board Ad Hoc Committees will communicate directly with the Board and will not exercise authority over employees. Therefore, because the BAOs work for the full Board, they will not be required to obtain approval of a Board Standing Committees or Board Ad Hoc Committee before an executive action.
- 8.2. This policy applies to any group which is formed by Board action, whether or not it is called a committee and regardless of whether the group includes Board members. It does not apply to committees formed under the authority of the BAOs.
- 8.3. Board Committees will conduct their meetings in accordance with the provisions of the Brown Act (Open Meetings Law), even when the Brown Act would not otherwise apply to the committee due to its nature, function, or duration. If an exception of this policy is deemed to be in the best interest of the District, the reason for the exception will be identified at the time the Board or Chair creates the committee.
- 8.4. On an annual basis, the Board of Directors will review the structures, functions, and purposes of the Board Committees to ensure that the Board's needs are being met.

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Title: Board Committee Structure		
Category: Governance Process		
Policy No. GP-9	Adopted: June 15, 1999 Chair: Larry Wilson	Latest Revision: December 10, 2019 Chair: Linda J. LeZotte
The Board of Directors revised and adopted this policy at its public meeting on the latest revision date.		

Nominations of Board members to committees shall be made by the Chair subject to approval by the Board, subject to annual review.

9.1. Board Committees:

9.1.1. A committee is a Board committee only if its existence and charge come from the Board, regardless whether Board members sit on the committee. Unless otherwise stated, a committee ceases to exist as soon as its task is complete.

9.2. Board Members Representation on Board Standing and Ad Hoc Committees:

9.2.1. Board members who are not the appointed representatives to Board Standing or Ad Hoc Committees shall be permitted to attend open noticed meetings of such committees only as observers to watch and listen, and not participate in discussion, ask questions or make statements. The non-appointed Board member(s) must observe the meeting from the area designated for members of the public. During the course of the meeting, appointed representatives of Board Standing or Ad Hoc Committees shall not speak to or otherwise engage with non-appointed Board members attending the meeting as observers.

9.3. Board Members Representation on External Committees:

9.3.1. Board members serving on external committees or other governing bodies shall serve in the best interest of the District unless otherwise required by statute, ordinance, resolution or other legislative action.

9.3.2. Board members shall serve on appointed committees to maintain effective relationships.

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Title: Cost of Governance Category: Governance Process		
Policy No. GP-10	Adopted: September 28, 1999 Chair: Larry Wilson	Latest Revision: January 8, 2019 Chair: Linda J. LeZotte
The Board of Directors revised and adopted this policy at its public meeting on the latest revision date.		

The Board will invest in its governance capacity.

Accordingly:

- 10.1. Board skills, methods, and supports will be sufficient to assure governing with excellence.
 - 10.1.1. Training and education will be used by Board members to maintain and increase governance skills and understanding.
 - 10.1.2. Outside monitoring assistance will be arranged so that the Board can exercise confident control over organizational performance. This includes, but is not limited to, fiscal audit.
 - 10.1.3. Outreach mechanisms will be used as needed to ensure the Board's ability to listen to public viewpoints and values.
- 10.2. Adequate funds will be proposed by the COB and budgeted annually by the CEO for support of the Board.
- 10.3. Board members will prepare and submit Director's Expense Claim Forms to request per diem and expense reimbursement in accordance with this policy. Board members will include receipts and any other information necessary to demonstrate that reimbursement is consistent with this policy and with Ch. 700, Stats. 2005 (AB 1234). Expense claims must be submitted within a reasonable time after the expense is incurred.
- 10.4. Board members will briefly report on meetings attended at District expense at the next regular Board meeting following the event at which the member is in attendance. On a quarterly basis, a report of the per diem and expense reimbursements of each Board member shall be placed on an open session Board meeting agenda for review and a determination by the Board whether the reimbursements comply with the Board's reimbursement policies adopted pursuant to Section 53232.3 of the Government Code. Only expenses in compliance with those policies may be reimbursed by the District.

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Directors Quarterly Expense Reimbursement Reports will be placed on the Directors District web page for public viewing.

- 10.5 Adequate liability insurance will be provided by the CEO at all times for Board members.
- 10.6 It is the policy of the Board that each Board member attend such meetings, events, conferences, and training as each Board member determines will best enable them to serve the District, including such compensation per day and reimbursement for actual and necessary expenses as may be allowed by law and as authorized by this policy. Board members may only receive compensation for one meeting, per day, regardless of the number of meetings attended.
- 10.6.1. Per Diem Meetings, Events, and Activities Compensation
- After annually making a finding based on substantial evidence that there is an operational need for Board members to be paid for more than 10 meetings in a calendar month, Board members are eligible to receive compensation per day, up to 15 days per calendar month, in accordance with Section 33(c) of the Santa Clara Valley Water District Act, for the meetings, events, and activities listed below, all of which are hereby deemed by the Board to constitute the performance of official duties. For the purpose of making a finding, substantial evidence shall include, but is not limited to, such things as the number of meetings in the prior year that were qualified for compensation pursuant to this policy, and how many and how frequently committee meetings of the Board of Directors occur.
- 10.6.1.1. Regular and Special Meetings of the Board of Directors.
- 10.6.1.2. Regular and Special Meetings of any Standing or Ad Hoc committee of the Board of Directors in accordance with Governance Process Policy 9.2.1, when the attending member is a member of the committee.
- 10.6.1.3. Regular and Special Meetings of any public entity legislative or advisory body of which the District is a member, or at which an agenda item related to the District's business is discussed.
- 10.6.1.4. Meetings with local, state, and federal legislators and/or officials to discuss matters of District concern.
- 10.6.1.5. Meetings of associations of governmental agencies, water policy organizations, and any other body of which the District is a member or which concerns water supply, flood protection, and/or natural resources.

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- 10.6.1.6. Conferences and educational workshops open to the public and/or to public agencies such as the District or concern water supply, flood protection, and/or natural resources. Preference should be given to conferences and educational workshops in California in order to minimize out of state travel.
- 10.6.1.7. Community events sponsored by or featuring the District, or which concern water supply, flood protection, and/or natural resources, or which concern the relationship of the District to the communities it serves.
- 10.6.1.8. Community meetings at which District projects or programs are presented, featured, or discussed.
- 10.6.1.9. Meetings with District employees and/or District constituents concerning District business.
- 10.6.1.10. Media appearances to discuss District issues (including but not limited to interviews and editorial board meetings).
- 10.6.1.11. Activities constituting direct Board inspection of District operations in accordance with Board-BAO Linkage Policy BL-5.
- 10.6.1.12. Participation in and completion of an approved online ethics course to meet the requirements of Government Code Sections 53234-53235.5, which shall constitute a single meeting.
- 10.6.1.13. Any other meeting, event, or activity approved in advance by the Board.
- 10.6.2. Per Diem Meetings, Events, and Activities Compensation Exclusions
 - 10.6.2.1. No Board member shall be compensated for attendance at a community/business event as a guest of the District, where the District has purchased a seat or table at said event.
- 10.6.3. Per Diem Meetings, Events, and Activities Expense Reimbursements

Board members are eligible for reimbursement for actual and necessary expenses incurred by the Board member for travel/transportation, meals, registration fees, lodging and incidental expenses reasonably incurred by the Board member in connection with meetings, events, and activities described in GP-10.6.1.

Governance Policies of the Board

- 10.6.3.1. Travel reimbursement expenses will not exceed the government or group rate for airline, ground transportation, and rental cars where such rate is available. Air transportation will be economy/coach class. Reimbursement for rental cars will be at the midsize level, unless a group of District officials/personnel are traveling together and choose to use a larger vehicle to accommodate the group. Shuttles, taxis, and car services are reimbursable in lieu of car rental. Board members wishing to upgrade flight or rental car class for personal convenience, or to combine personal with business travel thereby resulting in an increased fare, must pay the increased cost over the rates set forth in this policy.
- 10.6.3.2. Mileage reimbursement expenses for use of the Board member's own vehicle will be at the rate established for District employees and in accordance with policies applicable to District employees.
- 10.6.3.3. Lodging reimbursement expenses will not exceed the government or group rate for lodging where such rate is available. Reimbursement for lodging at conferences and organized educational activities will not exceed the maximum group lodging rate published by the activity sponsor if that rate is available at time of booking. Board members wishing to upgrade rooms and/or hotels or to incur additional guest charges will not be reimbursed for the cost difference.
- 10.6.3.4. Meal reimbursement expenses will be provided up to \$60 per day (\$14 for breakfast, \$16 for lunch and \$30 for dinner) for Board members who provide receipts. In addition to the \$60 per day, Board members will be entitled to an additional \$15 per day, with receipts, when traveling to the cities identified by the US General Services Agency as "high cost of living areas" listed below. Board members who do not have receipts may be reimbursed up to \$39 (\$9 for breakfast, \$10 for lunch and \$20 for dinner) per day for meal expenses.

Los Angeles, CA	Boston, MA	New York City, NY
San Francisco, CA	Baltimore, MD	Cincinnati, OH
Denver, CO	Detroit, MI	Pittsburgh, PA
Washington, DC	St. Paul/Minneapolis, MN	Philadelphia, PA
Miami, FL	St. Louis, MO	Dallas, TX
Chicago, IL	Atlantic City, NJ	Arlington, VA
New Orleans, LA	Santa Fe, NM	Seattle, WA

Governance Policies of the Board

- 10.6.3.5. Incidental expenses, including public transportation to/from airport; parking expenses; fuel for rental cars; tipping in accordance with policies applicable to District employees; expenses related to conducting District business while traveling (such as charges for phone, internet, or facsimile communication), will be reimbursed.

10.7. Business-Related Expense Reimbursements

Board members are eligible for reimbursement for actual and necessary expenses incurred by the Board member for the following business-related expenses: communication devices (cell phones/batteries/chargers), third party charge for internet/phone/fax lines and plans, office equipment and business cards.

10.7.1. Office equipment eligible for reimbursement under GP-10.7. includes:

- Fax/printers
- Fax/printer ink cartridges
- Individual office supplies (pens, day planners, etc);
- Personal digital assistant (PDA) equipment

10.8. Allocated Expense Reimbursements

Board members are eligible for reimbursement for office equipment, communication devices, supplies, publication subscriptions, membership dues, and educational materials utilized by the member for performance of Board duties, up to the amount identified in the Board Resolution Setting Annual Limit of Reimbursement of Directors' Annual and Necessary Expenses.

10.8.1. Publication subscriptions eligible for reimbursement under GP-10.8. include:

- Newspaper/ magazine subscriptions
- Periodicals

10.8.2. Membership dues eligible for reimbursement under GP-10.8. include:

- Organization and association memberships relevant to District business/mission (excludes professional memberships, certifications, licenses, etc)

10.8.3. Educational material eligible for reimbursement under GP-10.8. includes:

- Books, videos, DVDs, computer programs (used in course of District business)

10.8.4. Other expenses eligible for reimbursement under GP-10.8. include:

- Business meal overage reimbursement

Governance Policies of the Board

- District apparel

10.9 Board member compensation and benefits settlement agreements are not confidential.

Governance Policies of the Board

Title: Inclusion, Equal Employment Opportunity, Discrimination/Harassment Prevention, and Diversity		
Category: Governance Process		
Policy No. GP-11	Adopted: August 3, 1999 Chair: Larry Wilson	Latest Revision: July 28, 2014 Chair: Tony Estremera
The Board of Directors revised and adopted this policy at its public meeting on the latest revision date.		

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.

Accordingly:

- 11.1. The Board and its members will not discriminate, harass, or allow harassment against any applicant, employee, customer, or other person on the basis of sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding), race, religion, color, national origin (including language use restrictions), ancestry, religious creed (including religious dress and grooming practices, political affiliation, disability (mental and physical, including HIV or AIDS), medical condition (cancer and genetic characteristics), genetic information, marital status, parental status, gender, age (40 and over), pregnancy, military and veteran status, sexual orientation, gender identity and gender expression, the exercise of family and medical care leave, the exercise of pregnancy disability leave, or the request, exercise, or need for reasonable accommodation.
- 11.2. The Board commits itself and its members to support all actions necessary to make equal employment opportunity at the District a reality for all.
- 11.3. The Board will require that the organization's work environment be one in which all people are welcomed and included, and in which all individuals are unique and important and are treated with fairness and dignity.

Governance Policies of the Board

- 11.4. The Board will respect all people and seek to accommodate and learn from the different perspectives and values they contribute.

Title: Conduct of Board Meetings Category: Governance Process		
Policy No. GP-12	Adopted: June 9, 2015 Chair: Gary Kremen	Latest Revision: August 18, 2015 Chair: Gary Kremen
The Board of Directors revised and adopted this policy at its public meeting on the latest revision date.		

12.1. Procedural Rules for Board Meetings (“Rules”)

12.1.1. Basic Motions Subject to Debate

- 12.1.1.1. A motion puts forward a decision for consideration.
- 12.1.1.2. A motion to amend retains the basic motion but modifies it in some way.
- 12.1.1.3. A motion to substitute the motion under discussion eliminates the basic motion and places a new motion before the Board.

12.1.2. Non-Debatable Motions

- 12.1.2.1. A motion to adjourn. Four affirmative votes needed.
- 12.1.2.2. A motion to recess. Four affirmative votes needed.
- 12.1.2.3. A motion to fix the time to adjourn. Four affirmative votes needed.
- 12.1.2.4. A motion to table item under discussion. Four affirmative votes needed.
- 12.1.2.5. A motion to limit time for Board debate. Two thirds vote required.
- 12.1.2.6. A motion calling for a vote on the immediate question. Two thirds vote required.
- 12.1.2.7. A motion to close nomination. Two thirds vote required.
- 12.1.2.8. A motion objecting to Board consideration of an item on the agenda. Two thirds vote required.

12.1.3. A motion to suspend the Rules. Two thirds vote required.

12.1.4. Motion to Reconsider

Governance Policies of the Board

- 12.1.4.1. A motion to reopen debate and discussion after vote has been taken. Four affirmative votes required.
- 12.1.4.2. Motion must be made at the meeting where item first voted upon or at the very next meeting.
- 12.1.4.3. Motion must be made by member who voted in majority on original motion.
- 12.1.5. Courtesy and Decorum
 - 12.1.5.1. Point of Privilege – interrupting a speaking board member to make a ministerial request which addresses physical conditions of the meeting. Chair to inquire why speaker is being interrupted.
 - 12.1.5.2. Point of Order – interrupting a speaking board member questioning whether board meeting is being properly conducted.
 - 12.1.5.3. Appealing Ruling of the Chair. Four affirmative votes needed to reverse Chair's ruling.
 - 12.1.5.4. Call for Order of the Day. Requesting that Board discussion should be redirected to items on published agenda.
 - 12.1.5.5. Withdrawal of motion. Maker of motion seeks to immediately withdraw his/her motion. Motion is withdrawn without debate.
- 12.1.6. Voting
 - 12.1.6.1. All members of the Board, when present, must vote except as hereinafter provided.
 - 12.1.6.2. A member of the Board who has a conflict of interest regarding any matter being considered by the Board shall declare the conflict and abstain from participating in the Board's deliberation and Decision regarding the matter. A board member so abstaining must leave the Board chambers unless an exception otherwise applies.
 - 12.1.6.3. Any member of the Board, once having answered the call of the roll or having been noted by the Clerk of the Board as being present at a meeting, shall advise the Chair of the Board prior to leaving the Board's Chambers for the remainder of the meeting.
 - 12.1.6.4. The vote on any matter being considered by the Board may be delayed by the Chair of the Board until all members of the Board present for the meeting, and not excused as herein provided, are present at the Board's dais.

Governance Policies of the Board

12.1.7. Public Comment

- 12.1.7.1. Comments from the public on Non-Agenda Items will generally be taken on any item within the subject matter jurisdiction of the Board and not on the published agenda prior to Board discussion on any item of business.
- 12.1.7.2. Comments from the public on Published Agenda Items shall be heard prior to any motion being made by a board member; or, if no motion is appropriate, prior to the Chair of the Board calling the next item of business on the published agenda.

12.2. Unless a higher vote is required by ordinance, resolution, state, or federal law, the affirmative vote of at least four members of the Board shall be required in order for the Board to take action on an item of business or the adoption of any ordinance or resolution.

12.3. The Board, Standing Committees, and Board Ad Hoc Committees shall conduct their meetings in an open and transparent manner by following the California Open Meeting Act and the District Act.

Michele King

From: Katja Irvin <katja.irvin@sbcglobal.net>
Sent: Tuesday, July 04, 2023 9:06 PM
To: Clerk of the Board; Nai Hsueh; Tony Estremera; Rebecca Eisenberg
Subject: June 30 BPPC agenda item 3.1 comment
Attachments: 063023 BPPC item 4-1 code of conduct comment.docx

Follow Up Flag: Follow up
Flag Status: Flagged

*** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. ***

Dear Valley Water Board Planning and Policy Committee,

I attached the comment I intended to provide at the BPPC meeting on June 30, 2023 regarding the Board of Directors Code of Ethics and Conduct Policy. Due to the extensive discussion by the committee, I had to leave prior to public comment and was not able to provide these comments requesting two minor changes to the Policy.

Overall, I'm very supportive of this new policy. My comments are based on personal experience with verbal assaults from a member of the board. I know firsthand how important it is for Valley Water to have such a policy, and for the policy to provide an adequate framework for affected parties to take action if needed.

Please include these comments when the Policy goes to the full board for consideration. Also, please note these comments are my personal comments and are not official comments from the Sierra Club.

Thank you for the opportunity to provide these comments.

Best regards,

Katja Irvin
San Jose resident

On Saturday, July 1, 2023 at 09:05:51 AM PDT, Clerk of the Board <clerkoftheboard@valleywater.org> wrote:

Hi Katja,

Chair Hsueh recognized that you were unable to stay on and make your comments. She asked that I follow up with you and request you to submit your comments via email for the Committee. Once received I will forward to the Committee. Currently, this item is not scheduled to come back to the committee unless there are issues that arise as staff finalizes the document for board approval.

Thank you,

Michele

MICHELE L. KING, CMC

CLERK OF THE BOARD

Office of the Clerk of the Board

Santa Clara Valley Water District

Tel. (408) 630-2711 / Cell. (408) 593-5803



Clean Water • Healthy Environment • Flood
Protection

5750 Almaden Expressway, San Jose CA 95118
www.valleywater.org

From: Katja Irvin <katja.irvin@sbcglobal.net>
Sent: Friday, June 30, 2023 4:32 PM
To: Clerk of the Board <clerkoftheboard@valleywater.org>
Subject: BPPC meeting went too long, unable to make public comment

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

Dear Clerk,

I think today's BPPC meeting needs to be continued to allow time for public comment. I was unable to stay on the meeting beyond 2.5 hours.

Thank you,

Katja Irvin

Valley Water Board Planning and Policy Committee, June 30, 2023
Planned public comment from Katja Irvin on Agenda Item 3.1

Good afternoon, Chair Hsueh and BPPC members.

Thank you for working on this Code of Ethics and Conduct Policy which will provide important guidance to the Board. I only have two minor suggestions to improve the Policy, which I think make sense and I hope you will consider.

First, at the end of the third paragraph under Conduct at the top of page 7, it would be helpful to add stakeholders. So, the sentence would read "Members will refrain from abusive conduct, personal charges, or verbal assaults upon the character or motives of other Members, Valley Water employees, *stakeholders*, or the public." This would clarify that stakeholders such as retailers, other agencies, and non-governmental organizations are included in addition to the public.

Second, the first paragraph on page 9 under Board Members' Conduct with the Public should not only reference individuals, but also the organizations they represent. So, the second sentence in this paragraph would read "No signs of partiality, prejudice or disrespect should be evident on the part of individual Members toward an individual participating in a public forum, *or the organization which they represent.*"

These changes would address comments I have made previously about board conduct in response to disrespectful comments towards the Sierra Club by a board member. Although the comments were clearly meant to discredit individuals participating in the public forum, being more explicit in these two parts of the Conduct Policy will be helpful in case this situation arises again.

Thank you for considering this request.



Santa Clara Valley Water District

File No.: 23-0743

Agenda Date: 8/10/2023

Item No.: 4.2.

COMMITTEE AGENDA MEMORANDUM **Board Policy and Planning Committee**

Government Code § 84308 Applies: Yes ☐ No ☒
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Board Governance Encampments of Unsheltered People Ends Policy E-6.

RECOMMENDATION:

- A. Review and provide input on the draft Encampments of Unsheltered People Ends Policy E-6; and
- B. Recommend that staff present the Encampments of Unsheltered People Ends Policy E-6 to the full Board for consideration.

SUMMARY:

At its June 5, 2023, meeting, Santa Clara Valley Water District (Valley Water) Board Policy and Planning Committee considered staff's recommendation to create a new Board Governance Policy that provides a vision and framework for addressing the broad impact of unsheltered people living in encampments on Valley Water land. The Committee directed staff to revise the draft Encampments of Unsheltered People Ends Policy E-6 based on Committee input and bring the item back to the Committee for additional review.

Staff asks that the Committee review the draft Encampments of Unsheltered People Ends Policy E-6 (Attachment 1), provide input as necessary, and recommend next steps for presentation to the full Board.

ENVIRONMENTAL JUSTICE IMPACT:

While the draft Encampments of Unsheltered People Ends Policy does not itself constitute Environmental Justice impacts, a new Board Governance Policy that provides a vision and framework for addressing the broad impact of unsheltered people living in encampments on Valley Water land provides an opportunity to empower community members to participate in the decision-making process of projects that impact their communities.

ATTACHMENTS:

Attachment 1: Draft Ends Policy

UNCLASSIFIED MANAGER:

Jennifer Codianne, 408-630-3876

PROPOSED DRAFT ENDS POLICY LANGUAGE

Ends Policy Title: Encampments of Unsheltered People (EUP)

Actively participate in a regional approach working with the County, cities and other providers to reach a functional zero level of unsheltered people on Valley Water lands along waterways and at water supply and flood risk reduction facilities by humanely assisting in their permanent relocation out of these areas.

Accordingly, the following goal and objectives are adopted.

EUP GOAL

- 6.1. Address the human health, safety, operational, and environmental challenges posed by encampments and their impacts to waterways and water supply and flood risk reduction facilities, as allowed by law, by working with the County, cities and other service providers.

EUP Objective

- 6.1.1. Actively participate in a collaborative regional approach with the County, cities and other service providers to address the challenges posed by encampments.
- 6.1.2. Employ policies to address the challenges posed by encampments of unsheltered people living on Valley Water lands.
- 6.1.3. Identify lands to provide transitional or affordable housing or other services, in conjunction with the County, cities and other service providers, allowing for unsheltered individuals to be relocated.



Santa Clara Valley Water District

File No.: 23-0847

Agenda Date: 8/10/2023

Item No.: 4.3.

COMMITTEE AGENDA MEMORANDUM Board Policy and Planning Committee

Government Code § 84308 Applies: Yes ☐ No ☒
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Discuss Candidate Statement Fee Associated with Filing for a Santa Clara Valley Water District Board of Director Seat and Identify Board Actions to Support Potential Future Candidates, if any.

RECOMMENDATION:

Discuss the Candidate Statement Fee Associated with Filing for a Santa Clara Valley Water District Board of Director Seat and Identify Board Actions to Support Potential Future Candidates, if any.

SUMMARY:

At the June 13, 2023 Board Meeting, the Board assigned the Board Policy Planning Committee (Committee) to discuss the Candidate Statement Fee Associated with Filing for a Santa Clara Valley Water District (Valley Water) Board of Director Seat and make a recommendation on whether Valley Water can and should subsidize the Candidate Statement Fee or identify other ways of supporting potential future candidates with the process of running for the Valley Water Board of Directors.

Staff conducted research on the election requirements for candidates and identified which requirements could be changed or influenced by Valley Water.

Based on the candidate guide provided by the County of Santa Clara Registrar of Voters, below is a table showing the different requirements to run for the Valley Water Board of Directors and what level of government each requirement is mandated and managed by:

Mandated By / Managed By:	Requirement:
State of California	• Ballot designation worksheet • Declaration of candidacy • Statement of qualification • Statement of economic interests • Petition (20 signatures)

Santa Clara County	• Candidate Statement (optional) • Filing fee for candidate statement (pays for estimated printing costs)
Valley Water	• Valley Water does not mandate any additional requirements on top of the state and local government requirements.

Based on this information, the Valley Water Board of Directors cannot make changes to the requirements and document process, since they are mandated and managed at the county and state levels.

As such, following are several options the Committee could consider to help support future candidates and make the process more accessible:

1. As previously discussed by the Board, the most direct way to provide support would be to subsidize or completely cover the filing fee to print and produce candidate statements, which can be over \$5,000. This could be in the form of reimbursing the full amount completely, paying a certain percentage, or paying a specific dollar amount towards the form. The exact cost of the fee varies based on the number of registered voters in the election district and by the total number of candidates who may file a statement. Therefore, basing reimbursement on a percentage would result in the amount provided to fluctuate slightly.
2. Another option is to provide support via information or training for potential candidates. There are many “run for office” trainings available online that cover both strategy and logistical aspects of campaigning - Valley Water could provide financial assistance to cover the cost of one of these training programs.
3. Valley Water could also explore developing a guide or program specifically catered to running for a Board position. This would likely require hiring an outside expert or consultant to create the program or guide.
4. Valley Water could identify an expert (non-attorney) in the election process and law and provide access to them to potential candidates to answer questions and guide candidates through the process.

Additional research identified support resources that already exist for candidates:

1. Candidate School Video
 - a. Provided by the County of Santa Clara
 - b. Free and easily accessible to declared candidates
 - c. Link: <<https://www.youtube.com/watch?v=wPtT3iJWvMk>>
 - d. Also available as a live seminar during election season.
2. Candidate guidelines for paperwork
 - a. Provided by the County of Santa Clara

- b. Provided to candidates upon request/filing
- 3. NetFile trainings
 - a. Provided by an independent provider for free
 - b. Specifically trains candidates on how to upload different required documents and statements
 - c. Link: <https://netfile.com/Content/CampaignTraining>
- 4. City or Town Clerk - phone numbers and contact info of their respective city or town clerk to contact for information and assistance with campaign requirements (provided in candidate packet).

ENVIRONMENTAL JUSTICE IMPACT:

There are no Environmental Justice impacts associated with this item.

ATTACHMENTS:

None.

UNCLASSIFIED MANAGER:

Rick Callender, 408-630-2017



Santa Clara Valley Water District

File No.: 23-0515

Agenda Date: 8/10/2023

Item No.: 4.4.

COMMITTEE AGENDA MEMORANDUM **Board Policy and Planning Committee**

Government Code § 84308 Applies: Yes ☐ No ☒
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

2023 Climate Change Action Plan Update.

RECOMMENDATION:

- A. Receive information on the Greenhouse Gas Reduction Plan, including updated greenhouse gas emissions inventory methodology and the associated 2045 net-zero target; and
- B. Receive an update on Implementation of Climate Change Adaptation Actions.

SUMMARY:

Background

In 2021, the Board of Directors adopted Valley Water's first comprehensive Climate Change Action Plan (CCAP). The CCAP includes seven goals, with Goals 1 through 3 focused on climate mitigation, Goals 4 through 6 focused on climate adaptation, and Goal 7 focused on emergency preparedness. Each CCAP goal is achieved through several high-level strategies and specific actions. At the time of CCAP adoption, the Board directed staff to develop a CCAP Implementation Program and provide updates on progress on a regular basis.

Climate Change Mitigation: Greenhouse Gas Reduction Plan

Prior to the adoption of CCAP, staff provided periodic reports to the Board of Directors on emissions reduction for achieving carbon neutrality by 2020, a policy adopted by the Board in 2013. This GHG reduction work was guided by a voluntary framework that accounted for both GHG emissions and offsets associated with co-benefits of Valley Water's environmental stewardship mission and actions such as water conservation.

Carbon neutrality under this framework was achieved in 2014. The 2021 CCAP formalized Valley Water's climate change mitigation program, establishing Goal 1 (Reduce Direct Emissions), Goal 2 (Expand Renewable Energy and Improve Efficiency), and Goal 3 (Reduce Indirect Emissions). As part of the Implementation Program, high priority mitigation actions were identified, including updating this carbon accounting methodology and preparing a qualified GHG Reduction Plan.

Preparation of the Greenhouse Gas Reduction Plan is well underway. Working with a consultant

team, staff reviewed practices of other water agencies and updated accounting methodology, completed the emissions inventory (Attachment 1).

- Scope 1 (direct emissions) sources were not changed but updated with different emissions factors.
- Scope 2 (purchased electricity) now accounts for transmission and distribution losses.
- Scope 3 (indirect) emissions are being expanded to account for additional sources emissions from construction, emissions from sediment hauling conducted as part of the Stream Maintenance Program, solid waste and wastewater generated at facilities.

As directed by Assembly Bill 1279 (The California Climate Crisis Act), the State has established goals of carbon neutrality by 2045, and that Statewide 2045 GHG emissions will be at least 85 percent below 1990 levels. Valley Water aims to reduce GHG emissions in proportion to the State's targets. As a part of reduction target setting, staff is critically reviewing how Scope 3 (indirect) emissions and GHG offsets were accounted for under the previous methodology and will incorporate the latest state guidance for reducing these emissions, including advocacy, collaboration or partnership with regulatory and resource agencies, contractors, and suppliers. The Committee will receive a presentation on the Greenhouse Gas Reduction Plan target setting and next steps.

Climate Adaptation

CCAP goals that relate to climate adaptation consist of Goal 4 (Water Supply Adaptation), Goal 5 (Flood Protection Adaptation), Goal 6 (Ecosystem Adaptation), and Goal 7 (Emergency Preparedness). Staff prioritized actions within each goal according to cost, risk of impact, effectiveness, stakeholder feedback, and co-benefits, identifying 60 high-priority actions. To effectively represent Valley Water's priorities, and efficiently communicate progress on these priorities to the public, the CCAP Implementation Team also developed "flagship" metrics based on the high priority actions. Status of these high-priority actions and flagship metrics are provided in Attachments 2 and 3, and progress examples are described below.

Adaptation Priority Action Progress Examples

Goal 4: Water Supply Adaptation

Action: Increase capture and infiltration of stormwater and floodwater.

Progress Update: Valley Water is currently reviewing a draft flood managed aquifer recharge (FloodMAR) study report from UC Water. Valley Water is interested in whether Flood-MAR can enhance water supply while also providing co-benefits related to watershed stewardship. In addition, special studies and evaluations of brackish water and stormwater capture and treatment opportunities are being explored in coordination and collaboration with the cities of San Jose and Santa Clara, San Jose Water Company, and Stanford University.

Action: Develop storage, recharge, and conveyance options that support climate change adaptation efforts and are climate resilient.

Progress Update: In FY22 and FY23, staff are 1) Evaluating out-of-county groundwater banking opportunities, 2) Tracking Semitropic planning efforts and State reporting, and 3) Reviewing a draft San Pedro Ponds study report from consultants, which evaluates eight alternatives

to restore percolation rates at the ponds while reducing impacts on nearby septic systems.

Action: Enhance collaboration with wastewater agencies and publicly owned treatment works on source control and wastewater collection system maintenance to enhance recycled water and protect groundwater.

Progress Update: Purified Water Project. Staff continues to work with the City of Palo Alto for the Purified Water Project to build an Advanced Water Purification Facility to produce 10 MGD of purified water to be conveyed to the Los Gatos Recharge System in the City of Campbell for Indirect Potable Reuse. In addition, Valley Water is supporting the design and construction of a 1.25 MGD Desalting Facility to be built at Palo Alto Regional Water Quality Control Plant which would enhance the quality of the Recycled Water produced by Palo Alto. In parallel, efforts are underway to identify opportunities for expansion of Recycled Water in the County of Santa Clara in coordination with the cities of Palo Alto, Mountain View, Sunnyvale, San Jose, Santa Clara, Morgan Hill and Gilroy.

Goal 5: Flood Adaptation

Action: Continue to seek partnerships and expand coordination to enhance fluvial and coastal flood protection projects, consistent with the Natural Flood Protection (NFP) procedures

Progress Update: Shoreline Phase 1, Reaches 1-3 levee in Economic impact area (EIA) 11 (Alviso) is under construction. Phase 1 protects against coastal flooding and sea level rise. Shoreline Phase 2, under ongoing coordination with Army Corps, suggests no federal interest in a levee along the Palo Alto Flood Basin reach since the Corps' study was completed and shows the area is well protected by the existing berms, Palo Alto Flood Basin, and concrete freeway barriers along Hwy 101.

Action: Ensure regional collaboration in rising sea level efforts by continuing engagement with regional efforts such as Adapting to Rising Tides, CHARG and the One Bay Plan.

Progress Update: As a partner in CHARG, Valley Water has funded and collaborated on a technical white paper titled "Guidelines and Considerations for Modeling Sea-Level Rise Flood Hazards in San Francisco Bay." This report is currently being reviewed by CHARG members.

Action: Develop planning and design procedures that incorporate climate change solutions for climate related flood impacts.

Progress Update: Coastal flood protection projects are currently designed to accommodate up to 2.6 ft of sea level rise for a 100-year flow event with coincident 10-year coastal flood event (i.e., Shoreline level of flood protection). Sea level rise has also been included in planning for facilities located within the coastal floodplain such as the Silicon Valley Advanced Water Purification Center's expansion. Approaches to add flexibility to fluvial flood projects are currently under development.

Goal 6: Environmental Stewardship Adaptation

Action: Identify and pursue projects that increase the connectivity of coastal habitats and preserve the transition zone between the Bay's shoreline and streams' tidal zones, including wetland restoration and ecotone levees.

Progress Update: Calabazas/San Tomas Aquino Creek-Marsh Connection Project. The project submitted an application to the EPA SFWQIF Grant in 2022 and was awarded \$3.8M; details of awards are subject to the grant agreement which is yet to be finalized.

Action: Avoid the spread of invasive species through prevention and removal efforts.

Progress Update: Quagga zebra mussel monitoring was conducted in all Valley Water's reservoirs, BIF, and San Luis Reservoir per mussel prevention plan, with no detections; and Valley Water and County Parks received \$1 M in funding from the California Department of Boating and Waterways for mussel prevention program. Worked with Santa Clara County Parks and CDFW to develop signage related to "no move mussels, and conducted public education and outreach.

To augment Valley Water's invasive plant management efforts, a consultant team has been retained to develop the Integrated Invasive Plant Management Program and the Early Detection and Rapid Response programs. Program development began with internal stakeholder engagement meetings, gap analysis, and gathering of background and technical information. Next steps include manual outline development and initiation of the CEQA process.

Action: Promote climate-smart planting, such as by coordinating with the Valley Habitat Agency, to include climate-smart planting palettes.

Progress Update: Point Blue Conservation Science has developed a climate smart restoration tool that provides site-specific restoration plant palettes. Valley Water will promote the use of the Point Blue tool and climate smart restoration in *general*. *In addition, Valley Habitat Agency, to which Valley Water is a partner, has used this in one implemented project (Pajaro River Agriculture Preserve, in cooperation with OSA) and two projects in planning stages (Pacheco, Davidson Property).*

Goal 7: Emergency Preparedness

Action: Complete flood management plans/procedures (e.g., emergency action plans (EAPs) and annexes) based on risk priorities.

Progress Update: 2 new EAPs complete in FY2022, the Lower Peninsula Watershed EAP and the Palo Alto Flood Basin procedure, consistent with Safe Clean Water Project F2, in addition to an existing 19 EAPs. These plans are developed for creeks and reservoirs in Santa Clara County to help coordinate with other agencies and proactively plan for disasters such as floods and earthquakes. In FY2023, the development of the plans for Berryessa Creek and Lower Penitencia Creek is now taking place.

Action: Coordinate with cities and the County of Santa Clara in development of a multi-jurisdiction hazard mitigation plan that addresses wildfire risk and other climate related impacts.

Progress Update: In 2023, Valley Water is now partnering with the County of Santa Clara to determine what the county's jurisdiction methodology is in order to assist with risk assessing and overall management of hazard impacts on operations.

Action: Improve communication to the public about climate-related disasters.

Progress Update: Valley Water's annual flood awareness campaign includes messaging on climate change impacts. Additionally, having endured consecutive years of being in a drought, Valley Water's annual water conservation campaign was expanded to further emphasize drier conditions and extreme weather related to climate change.

Outreach and Collaboration

The CCAP Implementation Team staff participating in various regional efforts on climate mitigation and adaptation to ensure Valley Water is aligned and can contribute meaningful input to address these challenges. Example of these regional efforts include the Santa Clara County Climate Collaborative, County Climate Roadmap, and Coastal Hazards Adaptation Resiliency Group (CHARG). For the County Climate Collaborative, Valley Water is represented on the Leadership Advisory Team and the sea level rise and flooding working groups. On a nationwide level, staff participate in the US Water Alliance's Utility GHG Reductions Cohort Peer Exchange.

ENVIRONMENTAL JUSTICE IMPACT:

There are no Environmental Justice impacts associated with this item. Greenhouse gas emission reduction and climate change adaptation may result in benefits to the Santa Clara County community, including the disadvantaged communities.

ATTACHMENTS:

Attachment 1: GHG Inventory Summary
Attachment 2: Adaptation Action Status
Attachment 3: Flagship Metrics
Attachment 4: PowerPoint

UNCLASSIFIED MANAGER:

Lisa Bankosh, 408-630-2618

Preliminary GHG Inventory Results Summary Using Updated Methodology

For Board Policy and Planning Committee's August 10, 2023 Meeting

Notes to the Table:

All data presented in metric tons of carbon dioxide equivalent (MTCO2e) per year

* Activity data not available for sediment hauling and business travel in 2017. Excluded from baseline calculation.

** Employee commute and business travel emissions excluded from inventory in 2020 and 2021 due to the impacts of the COVID-19 Pandemic.

Scope	Emissions Sector	Included In CCAP	2017 *	2018	2019	2020 **	2021 **	2017 - 2021 Baseline
1	Facility Natural Gas	Yes	625	765	727	747	763	725
1	On-road Fleet	Yes	964	1,032	1,134	1,172	1,208	1,102
1	Off-road Fleet	Yes	866	561	704	763	620	703
1	High GWP Gases	Yes	0	0	0	0	0	0
2	Facility Energy	Yes	14	79	0	9	0	20
3	Imported Water	Yes	6,802	10,151	2,469	3,697	5,457	5,715
3	Employee Commute	Yes	3,431	3,039	3,094	-	-	3,188
3	Business Travel	Yes	-	67	227	-	-	147
3	Construction	No	5,752	6,516	7,985	7,149	7,123	6,905
3	Solid Waste	No	482	436	453	467	541	476
3	Wastewater	No	347	314	327	336	390	343
3	Sediment Hauling	No	-	47	177	167	77	117
TOTAL			19,283	23,006	17,296	14,507	16,179	19,441

The Numbers are Preliminary and Subject to Refinements

CCAP High Priority Adaptation Actions: FY2022/FY2023 Update

Goal	Strategy	Action	Status	Program/Plan/Project Linkage	Implementation Actions	FY2022/FY2023 Progress
4	S4.1: Diversify local water supplies and expand drought-resistant water supply.	4.1.3 Collaborate on water reuse research projects.	Ongoing	Water Supply Planning (desal) Recycled Water Program	1. Perform a feasibility study of a desalination project located in Santa Clara County. 2. Expand use of recycled water	1. Desalination feasibility study drafted. Staff is working with consultant to finalize the feasibility study. Once finalized staff will take to the Recycled Water Committee and potentially the BOD if directed. Feasibility study is focused on environmental issues related to the construction of a desal facility in the South Bay only. Planning level studies would follow if the BOD directs staff to do so. 2. Valley Water has continued efforts to expand water reuse by: collaborating with the City of Palo Alto to develop and construct purification facilities in Palo Alto to advance treat wastewater for indirect potable reuse at the Los Gatos Recharge System; working with the City of Sunnyvale to evaluate the applicability and timing of future non-potable and potable reuse opportunities in their city; partnering with San Jose to evaluate options to maximize wastewater reuse for non-potable reuse through South Bay Water Recycling and options for wastewater purification and future reuse through direct and indirect potable reuse opportunities in North County; and coordination with our South County partner agencies to maximize non-potable reuse in Gilroy and evaluate future water purification opportunities in the Cities of Gilroy and Morgan Hill.
4	S4.1: Diversify local water supplies and expand drought-resistant water supply.	4.1.4 Expand on-site reuse	Expand	Water Conservation Programs (including landscape and graywater rebates)	1. Implement Safe Clean Water activities such as fire station water reuse. 2. Broaden participation in Valley Water's graywater program.	Engaged with fire stations in San Jose and Palo Alto to procure water-recycling trucks for training purposes known as "Pump Pods" through leveraging the Water Efficient Technology Rebate that offers up to \$100,000 for qualifying project. No participation in FY 22. Created a new Getting Started with Graywater Frequently Asked Questions document, and 11 successful graywater projects installed.
4	S4.1: Diversify local water supplies and expand drought-resistant water supply.	4.1.5. Resolve regulatory challenges to innovative local water solutions and increase coordination on alternative water uses.	Expand	Direct Potable Reuse (DPR)	1. Continue to work on adoption of Model Water Efficient New Development Ordinance (MWENDO). 2. Continue to actively engage in state DPR regulation development.	1. Valley Water is updating the Ordinance in preparation for the upcoming 2025 building code adoption cycle. It is anticipated that revisions will include a supplemental provision to encourage cities and the County to prohibit irrigation of decorative, non-functional turf with potable water on CII sites within their jurisdictions. 2. Valley Water continues to work with State regulatory staff and interested stakeholders to further develop and refine direct potable reuse regulations to implement and expand water reuse in California. Draft regulations are expected Summer 2023, followed by continued regulatory development and public comment periods extending into next year, with state approved regulations anticipated in 2024.

CCAP High Priority Adaptation Actions: FY2022/FY2023 Update

Goal	Strategy	Action	Status	Program/Plan/Project Linkage	Implementation Actions	FY2022/FY2023 Progress
4	S4.1: Diversify local water supplies and expand drought-resistant water supply.	4.1.7 Increase capture and infiltration of stormwater and floodwater. Implement green stormwater infrastructure projects to maximize runoff retention, including those identified in the Stormwater Resources Plans as having water supply benefits.	Expand	Stormwater Resource Plans Municipal Regional Stormwater Permit Annual Reports Flood Managed Aquifer Recharge (FloodMAR)	1. Identify areas with multiple Green Stormwater Infrastructure (GSI) benefits such as water supply, water quality improvements, and flood risk reduction, while also considering benefits to DACs. 2. Complete the FloodMAR planning study.	1. Reviewing stormwater resource plans for Santa Clara basin and south county for potential locations. 2. VW is currently reviewing the draft FloodMAR study report from UC Water.
4	S4.1: Diversify local water supplies and expand drought-resistant water supply.	4.1.8 Expand collaboration with stormwater agencies and South County stormwater permittees on green infrastructure and stormwater infiltration to ensure groundwater quality is protected.	Expand	Stormwater Resource Plans Land use-water coordination Groundwater Management Plan	1. Review stormwater resource plans 2. Carry out land use-water resource coordination with cities 3. Monitor groundwater quality for any areas of concern.	1. Reviewing stormwater resource plans for Santa Clara basin and South County for potential project locations. 2. Water Supply Planning and Watershed Stewardship and Planning units met with 11 cities to discuss coordination of land use-water resources topics. Several cities interested in regular meetings to continue collaboration. 3. Annual groundwater monitoring indicates groundwater quality remained generally good in the principal aquifer.
4	S4.2: Improve demand management and increase water conservation efforts.	4.2.4 Increase water conservation by methods such as encouraging climate appropriate landscapes.	Expand	Water Supply Planning and Conservation Agricultural Water Use Baseline Study Water Conservation Strategic Plan	1. Continue expanding Valley Water's conservation program. Justin: Leverage the findings of the 2021 Water Conservation Strategic Plan to implement targeting marketing strategies to increase participation in disadvantaged communities, as well as multi-family, commercial, industrial, and institutional properties. Leverage the Online Shopping Cart and Fixture Replacement Program to increase indoor water use efficiency. Consider developing pilot programs to evaluate the effectiveness of additional water conservation programs.	Final FY22 update: 80,078 AF conserved annually compared to a target of 109,000 AF by 2040. This is an increase over past years. Additional conservation updates include: - Increased lawn conversation rebate for low income households and veterans - Launch of the water conservation online shopping cart program - Fixture replacement program - Cost sharing program for advanced metering infrastructure (AMI) with water retailers
4	S4.4: Support efforts to maintain and enhance source water quality.	4.4.4 Enhance collaboration with wastewater agencies and publicly owned treatment works (POTWs) on source control and wastewater collection system maintenance to protect recycled water and groundwater	Expand	Recycled Water Program/Purified Water (P3) - Palo Alto/Mtn View - San Jose	1. Continue planning for the Purified Water Project.	Staff continues to work with the City Palo Alto for the Purified Water Project to built an Advanced Water Purification Facility to produce 10 MGD of purified water and send it to the Los Gatos Recharge System in the City of Campbell. Staff is currently working with the City to draft and execute a lease agreement and O&M agreement and take these to the BOD in Q3 of CY2023.
4	S4.4: Support efforts to maintain and enhance source water quality.	4.4.5 Conduct outreach to the public on water reuse and source water quality.	Expand	Communications Community Engagement Water Supply Master Plan	1. Carry out communication campaigns.	Spring and Summer conservation campaigns Say Yes drought campaign
4	S4.6: Increase flexibility and resilience of water utility operations and assets.	4.6.1 Develop storage, recharge, and conveyance options that support climate change adaptation efforts and are climate resilient.	Expand	Water Conservation and Planning Imported Water	1. Continue the evaluation of Semitropic diversification approaches. 2. Complete a planning study on improving recharge at San Pedro Ponds. 3. Evaluate Lexington Pipeline.	1. Evaluating the out-of-county groundwater banking opportunities 2. Tracking Semitropic planning efforts and State reporting 3. Received draft San Pedro Ponds study report from consultant.

CCAP High Priority Adaptation Actions: FY2022/FY2023 Update

Goal	Strategy	Action	Status	Program/Plan/Project Linkage	Implementation Actions	FY2022/FY2023 Progress
4	S4.6: Increase flexibility and resilience of water utility operations and assets.	4.6.2 Develop asset management plans that incorporate climate change solutions and improve the reliability of aging water supply infrastructure.	Expand	Asset Management Operations & Maintenance Program	1. Develop climate change goals for water utility master plans. 2. In annual maintenance work planning, evaluate climate change needs for upcoming asset replacement and rehab projects	FY22 - 0 asset management plans incorporate climate change. FY23 - 1 asset management plans will include climate change - Stevens Creek FY24 - 1-2 asset management plans will include climate change (District Wide Watershed Asset Management Plan and potentially one more creek) FY25 forward - New asset management plans in FY25 and after will incorporate climate change solutions to improve the reliability of aging water supply infrastructure, and to promote adaptation, resilience, and flexibility in flood protection assets.
4	S4.6: Increase flexibility and resilience of water utility operations and assets.	4.6.4 Increase resiliency to climate change impacts that create risks for operations and water utility assets, such as including small-scale mitigation and adaptation efforts in projects' O&M cycles.	Expand	Business Support and Asset Management	1. Consider goals for resilience in existing master plans. 2. Look for actions to increase resilience.	Tracking goals in existing master plans and looking for opportunities to increase resilience.
4	S4.6: Increase flexibility and resilience of water utility operations and assets.	4.6.5 Ensure that people, vehicles, and equipment can continue to access pipelines and other assets.	Ongoing	WU Maintenance	1. Inspections of structures that provide access are performed frequently and preventative maintenance repairs are conducted to ensure safe access is available	Work is tracked in Maximo as needed.
4	S4.7: Support ecological water supply management objectives	4.7.2. Implement the Fisheries and Aquatic Habitat Collective Effort (FAHCE) operations and adaptive management to support fisheries' environmental conditions.	Ongoing	FAHCE	FAHCE Planning/Permitting FAHCE flow and nonflow measures implementation	Regular updates provided through Stewardship Planning and Operations Committee
4	S4.7: Support ecological water supply management objectives	4.7.3 Continue to participate in statewide environmental flows discussions.	Ongoing	FAHCE program	FAHCE Planning/Permitting FAHCE flow and nonflow measures implementation	Regular updates provided through Stewardship Planning and Operations Committee
4	S4.7: Support ecological water supply management objectives	4.7.4 Participate in joint efforts with our partner water agencies and other state and federal agencies to support ecosystem restoration, research, and science-based water management for the SWP and CVP.	Ongoing	Imported Water	Participate in state and federal workgroups for ecological adaptations to water supply operations. Analyze and provide feedback on proposed state and federal actions	Regular meetings discussing the feasibility of proposed state and federal actions

CCAP High Priority Adaptation Actions: FY2022/FY2023 Update

Goal	Strategy	Action	Status	Program/Plan/Project Linkage	Implementation Actions	FY2022/FY2023 Progress
5	S5.1: Minimize riverine flooding risks	5.1.4 Create natural floodplain areas, stream-upland transition areas, and upland buffers around streams locally.	Ongoing	NFP Partnerships such as VW-OSA partnership in Coyote Valley	1. Document climate benefits as a part of these efforts. 2. Document opportunities (coordination between One Water and CCAP).	The Guadalupe and Pajaro One Water Watershed Plans are in development, and will incorporate opportunities to coordinate with the CCAP.
5	S5.1: Minimize riverine flooding risks	5.1.5 Expand procedures to plan and design capital projects for long-term stream resilience, including defining life-time costs, ensuring maintenance needs are defined and budgeted, ensuring documentation of mitigation and regulatory requirements, and training.	Ongoing	Business Planning and Analysis Asset Management Watersheds O&M	1. Use SCW F8 workflow as a mechanism to ensure maintenance needs are met or larger issues are forwarded to Watershed Asset Rehabilitation Program or Capital Improvement Program so that infrastructure remains resilient.	SCW F8 has analyzed and prioritized over 85 creeks based on current conditions. A draft list of potential asset renewal projects and comprehensive asset management plans. A handful of projects may go into WARP and the others to be submitted into the CIP. Based on this analysis, F8 team prioritized Stevens Creek to be the first Asset Management Plan to be developed with a holistic and geomorphic approach in order to address multiple issues related to flooding and aging infrastructure. This AMP is to be completed by July of 2023.
5	S5.2: Minimize flood risk in coastal areas	5.2.1 Continue to seek partnerships and expand coordination to enhance fluvial and coastal flood protection projects, consistent with the Natural Flood Protection (NFP) procedures, such as the South San Francisco Bay Shoreline Study , , SFEI's Resilient by Design, and the South Bay Salt Pond Project.	Expand	Shoreline Study South Bay Salt Pond Project (SBSP)	1. Share information with partners and receive information from partners on approaches to fluvial and coastal flood protection.	Shoreline Phase 1 - Reaches 1-3 levee in EIA 11 (Alviso) is under construction. Protects against coastal flooding, sea level rise. Shoreline Phase 2 - Continuing coordination with the Army Corps. The economic analysis suggests no near-term federal interest in a project as the area is protected by existing berms, Palo Alto Flood Basin, and concrete freeway barriers along Hwy 101 through 2060. Valley Water is working with the Corps to refine the analysis and potentially identify smaller projects with near-term federal interest. Shoreline Phase 3 - Feasibility Study is expected to begin in July 2023, and will evaluate the shoreline areas of Mountain View, Sunnyvale and Santa Clara.
5	S5.2: Minimize flood risk in coastal areas	5.2.2 Continue work on capital projects and coordination with cities to address sea level rise related flooding risks.	Ongoing	Capital projects OTHER than Shoreline Study	1. Implement CIP projects and ensure they consider climate change impacts.	Capital flood protection projects after 2006 are incorporating measures of protection against sea level rise (up to 2 to 2.6 feet). Example projects include Shoreline Project, and flood protection projects on Permanente Creek, Lower Penitencia Creek, Berryessa Creek, Sunnyvale East Channel and Sunnyvale West Channel.
5	S5.2: Minimize flood risk in coastal areas	5.2.4 Design coastal and Baylands flood protection projects that respond to sea level rise (e.g. restoring coastal/ Baylands habitat, improving channel design and management as encouraged by SFEI Flood Control 2.0, etc.).	Ongoing	Calabazas and San Tomas Aquino Marsh Connection Project	1. Share information with partners and receive information from partners on approaches to fluvial and coastal flood protection.	Calabazas and San Tomas Aquino Marsh Connection Project has completed conceptual alternatives selection. By restoring the Pond A8 complex to tidal marsh, this project will provide a long-lasting, natural barrier between urbanized uplands and the bay, as well as provide wave damping during future coastal flood events. As long as there is enough sediment supply, this design will be resilient into the future. This project is moving forward along with the Shoreline project to provide protection against the high bay water levels from coastal events, however.
5	S5.2: Minimize flood risk in coastal areas	5.2.6 Install tidal gages to monitor and communicate rising sea levels.	Expand	HDMM Project	1. Track existing gauges, determine need for new gauges, install new gauges, and identify process for monitoring gauges.	New gage was added on Sunnyvale East Channel at the location just south of Pond A4 where the channel makes an abrupt right turn. Stage only.

CCAP High Priority Adaptation Actions: FY2022/FY2023 Update

Goal	Strategy	Action	Status	Program/Plan/Project Linkage	Implementation Actions	FY2022/FY2023 Progress
5	S5.2: Minimize flood risk in coastal areas	5.2.7 Ensure regional collaboration in rising sea level efforts by continuing engagement with regional efforts such as Adapting to Rising Tides, CHARG and their One Bay Plan.	Ongoing	Coastal Hazard Adaptation Resiliency Group (CHARG)	1. Document regional efforts Valley Water participates in, including Coastal Hazard Adaptation Resiliency Group (CHARG).	As a partner in CHARG, Valley Water has funded and collaborated on a technical white paper titled "Guidelines and Considerations for Modeling Sea-Level Rise Flood Hazards in San Francisco Bay". This report is currently being reviewed by CHARG members. VW also represented CHARG in BCDC's Bay Adapt process in the development of a joint platform for regional consensus-based strategies around rising sea levels (https://www.bayadapt.org/jointplatform/).
5	S5.3: Improve flood preparedness of people, property, and habitat.	5.3.3 Work with land use agencies to reduce vulnerability to flooding by minimizing development and prioritizing natural space in floodplains, such as through installing vegetated buffers along creeks and obtaining easements in priority areas for flood protection.	Expand	CPRU	1. Remind cities of guidelines and standards/encourage adoption. 2. Develop training/education. 3. Check in with cities through Land use-water meetings.	1. Community Projects Review Unit is informing external developers of the Guidelines and Standards for Land Use Near Streams with each review it carries out. 2. Presented a refresher on guidelines and standards at the Santa Clara County Association of Planning Officials. 3. FY2023 - In progress and coordinating with various cities.
5	S5.3: Improve flood preparedness of people, property, and habitat.	5.3.4 Continue to enhance monitoring and/or maintenance programs for levees and flood walls, such as through collaboration with local agencies and training EOC staff about flooding risk areas.	Ongoing	Asset Management Emergency Action Plans HH&G Unit	1. Convey problem areas (locations not meeting level of service) from asset management review to emergency response teams for EAPs/external coordination.	Valley Water maintains a "hot spots" list of locations where flooding has repeatedly occurred and/or flooding risk is higher, which is updated periodically. This is used in our emergency operations during storm events. HH&G is working with our O&M group to refine vegetation maintenance practices, based on recent hydraulic model calibrations to high flow events (e.g., leveed reach of San Tomas Aquino Creek).
5	S5.4: Implement projects and plans to increase the flexibility and resilience of flood protection operations and assets.	5.4.2 Develop planning and design procedures that incorporate climate change solutions for climate related flood impacts.	New		1. Codify guidance on how to incorporate climate-related flooding (fluvial and tidal) into project planning and design.	Valley Water is considering two primary aspects for flooding and climate change: increased intensity flows and sea level rise. For SLR, capital flood protection projects (2006 and after) with tidal reaches accommodate a measure of sea level rise, typically up to about 2 to 2.6 ft for a 100 year flow event with coinciding 10 year coastal flood event. This includes the Shoreline Project and other assets near the Bay including the Silicon Valley Advanced Water Purification Center's expansion. For increased intensity flows Valley Water is investigating options to increase resilience and flexibility, including options such as building wider levee foundations (in levee reaches) or footings (for floodwall reaches).
	S5.4: Implement projects and plans to increase the flexibility and resilience of flood protection operations and assets.	5.4.3 Develop asset management plans for flood protection assets that incorporate climate change solutions and promote adaptation, resilience, and flexibility.	Expand	Asset Management	1. Add section to asset management plans that discusses climate change.	FY22 - 0 asset management plans incorporate climate change. FY23 - 1 asset management plans will include climate change - Stevens Creek FY24 - 1-2 asset management plans will include climate change (District Wide Watershed Asset Management Plan and potentially one more creek) FY25 forward - New asset management plans in FY25 and after will incorporate climate change solutions to improve the reliability of aging water supply infrastructure, and to promote adaptation, resilience, and flexibility in flood protection assets.

CCAP High Priority Adaptation Actions: FY2022/FY2023 Update

Goal	Strategy	Action	Status	Program/Plan/Project Linkage	Implementation Actions	FY2022/FY2023 Progress
5	S5.4: Implement projects and plans to increase the flexibility and resilience of flood protection operations and assets.	5.4.8 Collaborate with local municipalities to incentivize green storm water infrastructure with benefits for flood attenuation.	New	Stormwater Resource Plans	1. Check in with cities through Land use-water meetings. 2. Encourage cities to carry out green stormwater infrastructure (GSI) including in disadvantaged communities. 3. Plan in conjunction with FloodMAR.	1. Water Supply Planning and Watershed Stewardship and Planning units met with 11 cities to discuss coordination of land use-water resources topics. Several cities interested in regular meetings to continue collaboration. 2. Environmental Planning Unit coordinated with regional partners to evaluate mechanisms to promote and facilitate development of GSI "regional projects." 3. FloodMAR study with UC Water received and under review.
5	S5.5: Expand the use of flood forecasting and modeling tools in the planning and design of agency projects to maximize protection from flood risks.	4.6.3 Improve hydrologic forecasting to better adapt to changing hydrology and extremes.	New	H&H, Flood forecasting. Safe Clean Water F7	Reach a total of 35 operational forecast points.	Continued ongoing operations for the current forecast points and updated runoff modeling to improve accuracy. Also included new weather forecasting tools and forecasts.
5	S5.5: Expand the use of flood forecasting and modeling tools in the planning and design of agency projects to maximize protection from flood risks.	5.5.5 Continue coordination with stakeholders to enhance monitoring and/or maintenance programs for Valley Water assets, such as through expanding the use of rain and stream gauges to help identify areas at risk of overtopping or flooding during large storm events.	Expand	H&H	Perform outreach with external stakeholders who have flood knowledge, collaborate with internal stakeholders, upkeep and validate existing information and data.	Used flooding in 2022/2023 to validate and determine areas of existing and new risk. When new risks are identified, to memorialize and record.
5	S5.5: Expand the use of flood forecasting and modeling tools in the planning and design of agency projects to maximize protection from flood risks.	5.5.6 Update and expand the implementation of Flood Risk Reduction Studies, which include hydrology, hydraulics, geotechnical and remapping work of floodplain.	Expand	H&H One Water	1. Hydraulic Modeling Updates: could include incorporating recent survey data into models, calibrating to recent storm high water marks/flooding footprints, creating floodplains for different sized storms to improve our understanding of risk, etc. 2. Hydrology Modeling Updates: could include updating land use to recent or future conditions, performing new studies based on best, recent knowledge for urban hydrology, etc.	Updates include: 1D Steady Hec Ras models created that are based on all-new survey data: North and South Morey Creeks, Lions Creek, and Princeville drain. Progress on 2D Hec Ras modeling of floodplains: - Llagas watershed (Llagas Ck, Madrone Channel, Tennant Creek, West Little Llagas Creek & Bypass, East Little Llagas Creek). Completed - Upper Penitencia Creek Floodplain model- old model is being updated with new survey data & calibrated to 2023 high water marks. - Uvas Creek Floodplain Model- updated with 2020 county lidar and calibrated to 2023 high water marks.

CCAP High Priority Adaptation Actions: FY2022/FY2023 Update

Goal	Strategy	Action	Status	Program/Plan/Project Linkage	Implementation Actions	FY2022/FY2023 Progress
6	S4.5: Implement source water improvement and water treatment actions.	4.5.4. Design and develop invasive species control strategies for Valley Water's facilities and conveyance structures that are specific to the target organism (e.g. quagga and zebra mussels).	Expand	Valley Water's Dreissenid Mussel Prevention Plan Valley Water's quagga and zebra mussels monitoring program DWR's quagga and zebra mussels monitoring program Santa Clara County Parks and Valley Water Vessel Inspection Program Bay Area Regional Consortium Quagga and Zebra Mussels Coordinated Prevention Plan	1. Look for grant funding opportunity 2. Install signage at Valley Water's reservoir related to "don't move mussel" and "no wet live bait". 3. Expand public education and outreach	1. Conducted quagga zebra mussel monitoring in all Valley Water's reservoirs, BIF, and San Luis Reservoir per mussel prevention plan and no mussel was detected. 2. Completed annual quagga zebra mussel compliance report for CDFW 3. Valley Water and County Parks received 1 M funding from the California Department of Boating and Waterways for mussel prevention program 4. Worked with Santa Clara County Parks and CDFW to develop signage related to "no move mussels" 5. In collaboration with County Parks, conducted public education and outreach (billboards, buss tail, Calero Water and Wags Festival)
6	S6.1: Protect and enhance riverine, coastal, and other watershed ecosystems to improve climate change resilience and wildlife habitat.	5.2.3 Identify and pursue projects that increase the connectivity of coastal habitats and preserve the transition zone between the Bay's shoreline and streams' tidal zones, including wetland restoration and ecotone levees.	Expand	Calabazas/San Tomas Creek-Marsh Connection Project Pond A4 Resilient Habitat Restoration Project	1. Implement projects in CIP 2. Look for grant funding opportunities	1. Pond A4 was added to the Creek-Marsh Connection Project in Aug 2022 and currently conceptual alternatives that potentially connect Calabazas and STA to A8 Ponds, and Sunnyvale East/West Channels to Pond A4, are being explored. 2. The project submitted an application to the EPA SFWQIF Grant in 2022 and was awarded \$3.8M but details of awards are subject to the grant agreement which is yet to be finalized.
6	S6.1: Protect and enhance riverine, coastal, and other watershed ecosystems to improve climate change resilience and wildlife habitat.	6.1.11 Collaborate with land use agencies and municipalities to improve watershed and flood plain management and related goals and activities that increase climate change adaptability.	Expand	Community Projects Review Unit development review Land use-water meetings with cities	1. Check in with cities through Land use-water meetings 2. Encourage cities to include protected areas in their General Plans	New measure to be implemented in FY23/FY24. Held presentation for Santa Clara County Association of Planning Officials and emphasized how they can support water resource protection and stream stewardship in their general plans and policies.
6	S6.1: Protect and enhance riverine, coastal, and other watershed ecosystems to improve climate change resilience and wildlife habitat.	6.1.12 Improve operations to improve water quality for ecosystems, including by collaboration with land use agencies and municipalities.	Expand	Guadalupe Mercury TMDL Program	1. Collaborate with experts on studies to inform management actions to reduce mercury contamination in fish.	1. Collaborative agreement with UC Davis to study greenhouse gas emissions from reservoirs. Work in progress. 2. Collaborative agreement with UC Merced to study sorbents for Hg Control in Reservoirs. Work in progress. 3. Collaborative agreement with UC Santa Cruz to study atmospheric mercury deposition to reservoirs in approval process. 4. Collaborative agreement with UC Davis to study methylmercury production in Guadalupe Reservoir. Contract drafting in process.
6	S6.1: Protect and enhance riverine, coastal, and other watershed ecosystems to improve climate change resilience and wildlife habitat.	6.1.2. Continue to complete Integrated Water Resources Master Plans for each watershed as part of the One Water program.	Expand	One Water Plan	1. Incorporate climate change considerations and resilience via Objective E (climate change) in the One Water watershed plans. 2. Align One Water with CCAP.	1. Finalizing Objective E metrics for One Water and aligning with CCAP flagship metrics where feasible. 2. Draft list of watershed actions for Guadalupe and Upper Pajaro River Watersheds, with consideration of climate resilience.

CCAP High Priority Adaptation Actions: FY2022/FY2023 Update

Goal	Strategy	Action	Status	Program/Plan/Project Linkage	Implementation Actions	FY2022/FY2023 Progress
6	S6.1: Protect and enhance riverine, coastal, and other watershed ecosystems to improve climate change resilience and wildlife habitat.	6.1.4 Develop asset management plans for ecosystem assets that incorporate climate change solutions such as adaptation, resilience, and flexibility.	Expand	Safe Clean Water Project F8 Sustainable Creek Infrastructure	1. Stevens Creek AMP – in progress 2. District-wide Watershed AMP update 3. Individual creek AMP's to be developed in future for creeks with systemic issues.	1. Stevens Creek AMP is in progress. At a high level, we have incorporated alternative management strategies to address current flood concerns, aging infrastructure, and channel instability. The plan will describe how sea level rise should be incorporated in future planning studies if creek were to be improved. Lastly, will also describe any channel work will be considerate of adequate fish passage/habitat. Therefore, we also incorporated an alternative strategy that considers using the reservoir for flood flow storage to reduce the amount of construction/impacts in the channel. 2. District-wide watershed AMP update to begin in July 2023 (FY24)
6	S6.1: Protect and enhance riverine, coastal, and other watershed ecosystems to improve climate change resilience and wildlife habitat.	6.1.5. Monitor algal blooms in Valley Water's reservoirs and manage effectively using nutrient source reduction and/or in-reservoir treatment.	Expand		MS: Consider development of a Harmful Algal Bloom (HAB) monitoring and response program for reservoirs.	1. Monthly water quality profiles including algal pigments (chlorophyll and phycocyanin) from Almaden, Calero, Guadalupe, and Stevens Creek Reservoirs. 2. Water quality profiles (Temp, pH, Turbidity, Fluorescence, DO, Conductivity) and cyanotoxin (Microcystin, Cylindrospermopsin, Anatoxin-A, Saxitoxin): year-round monthly at Calero and monthly between May and October at San Luis Reservoir.
6	S6.1: Protect and enhance riverine, coastal, and other watershed ecosystems to improve climate change resilience and wildlife habitat.	6.1.6 Implement habitat conservation and restoration activities, informed by climate-smart and climate-resilient best practices, throughout the watersheds Valley Water operates in.	Expand	Valley Habitat Plan Santa Cruz Mountain Stewardship Network Coyote Valley Conservation Master Plan One Water plans SCW Project D4 SCW Project D6 SCW Project D7	Prepare and submit business cases for habitat conservation and restoration activities that are identified in One Water and other relevant plans; add restoration activities to CIP projects; develop contracting pathways for restoration activities	Implemented projects: Hale Creek Pilot Enhancement Project Singleton Road bridge replacement Lower Penitencia creek wetland bench Calera Creek inset floodplains Evelyn and Bolsa fish passage remediation progress
6	S6.1: Protect and enhance riverine, coastal, and other watershed ecosystems to improve climate change resilience and wildlife habitat.	6.1.7 Continue to utilize excavated sediment to create and rehabilitate habitat, including ecotone levees in coastal areas.	Ongoing	Stream Maintenance Program, South Bay Salt Pond Project D3	Determine ways to increase % of sediment reuse, including partnership with SFEI for EPA WQIF grant funds	No reuse for FY22 at A8 Ponds as it didn't meet USFWS QAPP. Staff received Board approval to add Pond A4 Resilient Habitat Restoration Project to use A4 as alternate sediment reuse location. This project will expand sediment reuse opportunities to create more coastal habitats and allow SMP sediment to be used to create habitat in Valley Water's own Pond
6	S6.1: Protect and enhance riverine, coastal, and other watershed ecosystems to improve climate change resilience and wildlife habitat.	6.1.8. Continue to protect the climate resiliency of open spaces with regional partners, such as through collaboration with the Valley Habitat Agency, the Santa Clara County Open Space Authority, and the Mid-Peninsula Regional Open Space District.	Ongoing	Valley Habitat Plan, Santa Cruz Mountain Stewardship Network	Maintain active collaboration, provide technical expertise, and provide funding to support climate adaptation in watershed lands	Board confirmation of Valley Habitat Plan Amendment process and cost allocation to include coverage of the Stream Maintenance Program (improves mitigation effectiveness). Provided funding and technical review for a county-wide fine-scale vegetation map, completed March 2023. As a Steering Committee and founding member of the Santa Clara County Wildlife Corridor Technical Working Group, Valley Water collaborates with public agencies and nonprofit organizations to improve habitat connectivity. Partnering with the Valley Transportation Authority, Caltrans, and the Santa Clara Valley Habitat Agency, Valley Water will soon build a wildlife jump-out along US-101 in Coyote Valley, which will be the first in the Bay Area (estimated to be completed in summer 2023).

CCAP High Priority Adaptation Actions: FY2022/FY2023 Update

Goal	Strategy	Action	Status	Program/Plan/Project Linkage	Implementation Actions	FY2022/FY2023 Progress
6	S6.2: Develop and expand programs and plans that support more climate-resilient ecosystems.	6.2.1 Establish political and legal mechanisms for mutually beneficial inter-agency programs, plans, and projects that restore regional ecosystems.	Expand	San Francisco Bay Restoration Regulatory Integration Team (BRRIT)	Participate in regional efforts and local partnerships to protect and restore ecosystems	VW staff is engaged with the BRRIT on our Bay projects such as the Calabazas/San Tomas Creek-Marsh Connection Project, as well as staying engaged with the Policy Management Committee on regional regulatory issues. Successful engagement with the RWQCB through our MOU process has continued this year and helped to resolve potential project issues.
6	S6.2: Develop and expand programs and plans that support more climate-resilient ecosystems.	6.2.10. Avoid the spread of invasive species through prevention and removal efforts.	Expand	Valley Water Invasive Plant Management Program (IPMP)	1. IPMP 2. EDRR	A consultant team has been retained to develop the IIPMP (Integrated Invasive Plant Management Program) and EDRR programs. Program development began in FY22/23 with internal stakeholder engagement meetings, gap analysis, and gathering of background and technical information. Next steps include manual outline development and initiation of the CEQA process.
6	S6.2: Develop and expand programs and plans that support more climate-resilient ecosystems.	6.2.13. Update Valley Water's Water Resource Protection Ordinance and Manual	Expand	CPRU	Expanding on work that the ROWUPP Capstone started by updating the WRPM protections for all Valley Water facilities.	FY23--CPRU has compiled a list of current relevant criteria for uses of Valley Water right of way for each facility type. Preparing to send to SMEs for confirmation or update of existing criteria to be used.
6	S6.2: Develop and expand programs and plans that support more climate-resilient ecosystems.	6.2.2. Continue to support and expand funding partnerships with regional land conservation and management agencies to promote landscape-scale habitat linkages and preserve conservation values.	Ongoing	SCW Project D7	1. Engage with conservation partners to discuss conservation planning opportunities on a regular basis	Staff regularly met with conservation partners to identify opportunities to support acquisition of habitat lands and provide meaningful mitigation for project impacts, and initiated development of a MOU to disperse funds through Safe Clean Water Project D7.
6	S6.2: Develop and expand programs and plans that support more climate-resilient ecosystems.	6.2.4 Implement actions related to ecosystem connectivity and resilience that are included in existing plans and programs	Expand	Valley Habitat Plan Regional Conservation Investment Strategy One Water Safe Clean Water Priority D FAHCE SGMA Groundwater dependent ecosystem (GDE) monitoring Stewardship and mitigation site monitoring	1. Track actions from plans and programs and propose for CIP, small capital projects, mitigation, and/or partner project as appropriate. 2. Continue to develop and/or update plans and programs to identify priorities for actions that can contribute to ecosystem connectivity and resilience.	Tracking connectivity through One Water - Coyote Creek Watershed Plan. Collecting data on habitat connectivity for Guadalupe and Upper Pajaro River Watershed Plans.
6	S6.2: Develop and expand programs and plans that support more climate-resilient ecosystems.	6.2.6. Improve aquatic habitat connectivity through the Fisheries and Aquatic Habitat Collaborative Effort (FAHCE) and other programs and projects.	Expand	Water rights	FAHCE Planning/Permitting FAHCE flow and nonflow measures implementation FAHCE adaptive management program (including monitoring program)	Regular updates provided through Stewardship Planning and Operations Committee

CCAP High Priority Adaptation Actions: FY2022/FY2023 Update

Goal	Strategy	Action	Status	Program/Plan/Project Linkage	Implementation Actions	FY2022/FY2023 Progress
6	S6.2: Develop and expand programs and plans that support more climate-resilient ecosystems.	6.2.7 Continue to move towards a geomorphic watershed approach when designing streams.	Expand	H&H Watershed Stewardship and Planning	1. Conduct studies to consider priority locations for gravel augmentation and large woody debris. 2. Conduct studies to consider priority locations for fish migration improvements.	Geomorphologic principles are being applied to many Valley Water projects. By considering these principles during the design phase, the hope is to build projects that are more resilient into the future. There are two county-wide studies underway to address the larger picture: 1.Phase 1 and Phase 2 (Phase 2 is being finalized) Countywide Studies of Major Streams to Identify Priority Locations for Gravel Augmentation and Large Woody Debris Placement. 2.Countywide Studies of Major Streams to Identify priority locations for fish migration impediments removal and installation of large woody debris and gravel as appropriate (study of Alamitos, Guadalupe and Arroyo Calero to be completed by FY26, Stevens Creek done in March of 2022) In addition, there are a number of projects in progress which incorporate geomorphic principles. For example: Upper Penitencia Creek Study Stevens Creek Asset Management Plan Lower Llagas Flood Capacity Restoration Evelyn Fish Passage Project
6	S6.2: Develop and expand programs and plans that support more climate-resilient ecosystems.	6.2.8 Participate in statewide coordination on managing functional environmental flows in a climate-responsive manner.	Ongoing	Steelhead Regional Temperature Study	1. Implement Regional Temperature Study Work Plan	Valley Water, in collaboration with the San Francisco Bay Regional Water Quality Control Board, is conducting a Regional Temperature Study to analyze available data, identify data gaps, and develop scientific studies that can be used to refine protective temperature evaluation guidelines to support cold freshwater, migration, fish spawning, and related beneficial uses of Central California Coast (CCC) steelhead. Phase 1 of study is underway, with Phase 2 to follow.
6	S6.2: Develop and expand programs and plans that support more climate-resilient ecosystems.	6.2.9. Promote climate-smart planting, such as by coordinating with the Valley Habitat Agency to include climate-smart planting palettes in the Valley Habitat Plan.	Expand	Plant palettes developed for Safe Clean Water program Valley Habitat Plan	1. develop one palette for residential and/or commercial use 2. develop one palette for natural landscape use (e.g. restoration projects) 3. Coordinate with VHA	Point Blue Conservation Science has developed a climate smart restoration tool that provides site-specific restoration plant palettes. VHA has used this in one implemented project (Pajaro River Agriculture Preserve, in cooperation with OSA) and two projects in planning stages (Pacheco, Davidson Property). VHA will not be including explicit specific palettes in the VHP but will continue to utilize climate smart palettes in planting projects.
6	S6.3: Expand the availability of data in regional ecosystems in order to avoid detrimental climate change-related ecosystem impacts.	6.3.1 Continue and improve monitoring and land management activities to ensure preservation of conservation values throughout the county.	Expand	SCW D5 monitoring SCW D2 (future - early detection rapid response for invasives) Stewardship and mitigation site monitoring FAHCE aquatic habitat and temperature monitoring Partner organization monitoring and management programs	1. Continue and expand sharing of data that is required as part of permitting or Safe Clean Water KPIs, or already provided to the public (such as flow data) 2. Continue and expand monitoring of stream temperature 3. Periodically analyze and report on compilation of monitoring data to present and understand trends and relationships to climate change	Project D5 reference vegetation study database available to public Project D5 watershed assessment reports available to the public Flow data compiled and provided online Water temperature and other biological monitoring data on EM-IMS
6	S6.3: Expand the availability of data in regional ecosystems in order to avoid detrimental climate change-related ecosystem impacts.	6.3.6 Add depressional wetlands (ponds), lacustrine wetlands (vegetated margins of lakes and reservoirs), and tidal Baylands to ambient condition surveys conducted for the Safe, Clean Water Program's Project D5 (Ecological Data Collection and Analysis).	New	One Water D5 SGMA groundwater dependent ecosystem (GDE) monitoring	Assess ecological conditions and consider new assessments for depressional and estuarine habitats (including impacts from climate change)	No progress at this time. These assessments still need to be built into the long-term budget forecast for Project D5 if determined necessary.

CCAP High Priority Adaptation Actions: FY2022/FY2023 Update

Goal	Strategy	Action	Status	Program/Plan/Project Linkage	Implementation Actions	FY2022/FY2023 Progress
7	S7.1: Maximize Valley Water's emergency preparedness for climate related impacts (e.g.: from flooding, extreme heat events, fire, severe storms).	5.3.1 Use flood forecasts to collaborate on flood protection efforts such as watershed level Emergency Action Plans and flood warning systems, for vulnerable areas and populations (e.g.: homeless persons and disadvantaged communities).	Ongoing	Emergency Response Upgrades (SCW F7)	Convey forecasting info to emergency response teams for EAPs/external coordination	Continued to improve on forecasting capabilities.
7	S7.1: Maximize Valley Water's emergency preparedness for climate related impacts (e.g.: from flooding, extreme heat events, fire, severe storms).	7.1.2 Create, maintain and update Emergency Action Plans (EAPs) that include vulnerable areas and populations and anticipates higher severity and frequency of climate change impacts.	Expand	Emergency Action Plans Safe Clean Water Program	Complete flood management plans/procedures (e.g. EAPs and annexes) based on risk priorities.	2 EAPs complete: Added Upper Penitencia Creek (July 2022) to the Joint Emergency Action Plan. Completed the Lower Peninsula Watershed Emergency Action Plan (LPEAP) and added Palo Alto Flood Basin (July 2022).
7	S7.1: Maximize Valley Water's emergency preparedness for climate related impacts (e.g.: from flooding, extreme heat events, fire, severe storms).	6.2.11. Coordinate with cities and the County of Santa Clara in development of a multi-jurisdiction hazard mitigation plan that addresses wildfire risk and other climate related impacts.	New	Local Hazard Mitigation Plan	Risk assessment accomplished for the 2017 Valley Water LHMP.	In 2023, Valley Water is now partnering with the County of Santa Clara to determine what the county's jurisdiction methodology is in order to assist with risk assessing and overall management of hazard impacts on operations.
7	S7.1: Maximize Valley Water's emergency preparedness for climate related impacts (e.g.: from flooding, extreme heat events, fire, severe storms).	7.1.1 Develop a centralized approach for data and projections (e.g., preferred general circulation models (GCMs), representative concentration pathways (RCPs), downscaling methods, etc.) for use throughout Valley Water to assess, predict, and respond to climate change impacts.	Expand	CCAP	Review climate data and modeling methods incorporated into CCAP Vulnerability Analysis. Determine necessary updates and create a centralized source for relevant information.	Data review to occur in FY24
7	S7.1: Maximize Valley Water's emergency preparedness for climate related impacts (e.g.: from flooding, extreme heat events, fire, severe storms).	7.1.3 Improve staff training about responding to and addressing climate-related disasters.	Expand	Office of Emergency Services	Within the Office of Emergency Services, formal classes for cross functional teams, that support the EOC, are held periodically. In addition, training exercises are also periodically held which include local jurisdictions (e.g. City of San Jose, City of Palo Alto, Morgan Hill, Gilroy).	In FY23 OES hosted 3 training courses offered by the California Specialized Training Institute (CSTI). •(G-775) EOC Mgmt. & Operations •(G-626E) Essentials in Action Planning •(G-191) ICS/EOC Interface These courses were offered March 13-17, 2023. Training exercises include Anderson Dam DENS drill/Action Plans for all reservoirs; Anderson Dam table top and full exercise (FERC). Lastly, a training workshop for the Guadalupe Flood Barrier was held with the City of San Jose and its multiple departments.
7	S7.1: Maximize Valley Water's emergency preparedness for climate related impacts (e.g.: from flooding, extreme heat events, fire, severe storms).	7.1.4 Improve communication to the public about climate-related disasters.	Expand	Office of Communications	1. Develop messaging to public focused on climate change impacts. 2. Develop messaging specific to DAC/underserved areas focused on climate change.	Valley Water's annual flood awareness campaign includes messaging on climate change impacts. Additionally, having endured consecutive years of being in a drought, Valley Water's annual water conservation campaign was expanded to further emphasize drier conditions and extreme weather related to climate change.

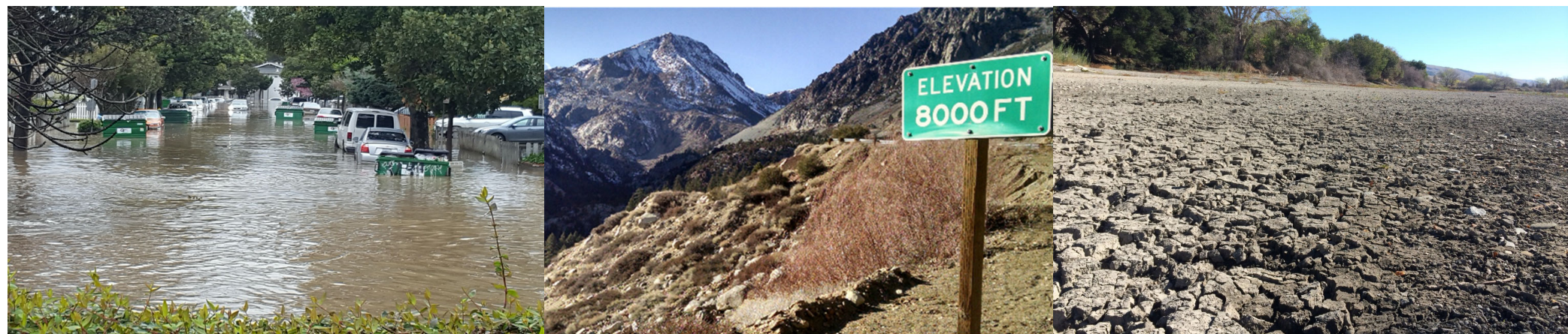
CCAP High Priority Adaptation Actions: FY2022/FY2023 Update

7	S7.1: Maximize Valley Water's emergency preparedness for climate related impacts (e.g.: from flooding, extreme heat events, fire, severe storms).	7.1.6 Ensure assets are equipped to handle climate-related emergencies such as increased heat.	Expand	Asset Management Program	1. Add section to asset management plans that discusses climate change.	FY22 - 0 asset management plans incorporate climate change. FY23 - 1 asset management plans will include climate change - Stevens Creek FY24 - 1-2 asset management plans will include climate change (District Wide Watershed Asset Management Plan and potentially one more creek) FY25 forward - New asset management plans in FY25 and after will incorporate climate change solutions to improve the reliability of aging water supply infrastructure, and to promote adaptation, resilience, and flexibility in flood protection assets.
7	S7.1: Maximize Valley Water's emergency preparedness for climate related impacts (e.g.: from flooding, extreme heat events, fire, severe storms).	7.1.7 Continue engagement with the Santa Clara County Emergency Managers Association (SCCEMA).	Ongoing	Office of Emergency Services	1. Participate in meetings with SCCEMA.	Valley Water OES staff continues to participate in the monthly EMA meetings where inclement weather storms are discussed during season and information is shared from Valley Water's Hydrology Team as well as information on reservoir capacity status from Water Supply operations. In addition, the information sharing from the many other jurisdictions assists with planning and preparation and recovery as needed.

Goal	Strategy	Flagship Metric	Target	FY2022/FY2023 Progress
4	S4.1: Diversify local water supplies and expand drought-resistant water supply.	Percent of local supply in overall portfolio	10% of supplies from recycled water by 2030. At least 1000 AF of stormwater by 2040.	Supply of recycled water is tracking at 6% compared to a target of 10% of total supplies. Stormwater as a type of supply is tracking at 0 acre feet compared to a target of 1000 acre feet by 2040. This is a new measure and staff are investigating optimal ways to capture stormwater at this stage.
4	S4.2: Improve demand management and increase water conservation efforts.	Average annual water conservation savings	Conserve 109,000 AF conserved annually by 2040 (compared to 1992 baseline)	Final FY22 update: 80,078 AF conserved annually compared to a target of 109,000 AF by 2040. This is an increase over past years. Additional conservation updates include: - Increased lawn conversation rebate for low income households and veterans - Launch of the water conservation online shopping cart program - Fixture replacement program - Cost sharing program for advanced metering infrastructure (AMI) with water retailers
4	S4.6: Increase flexibility and resilience of water utility operations and assets.	Optimize water supply system to maximize Valley Water's ability to store and retrieve dry year supplies during an extended drought.	1. Complete Anderson Reservoir by FY2032. 2. Complete other seismically restricted reservoirs by 2035.	Anderson Dam Seismic Retrofit - Anderson Dam Tunnel Project to be completed by 2024 - Anderson Reservoir will be refilling by 2031 and ADSRP construction completed by 2032. Complete Guadalupe Dam Seismic Retro fit Project by 2031 Complete Calero Dam Seismic Retrofit Project by 2035 Complete Almaden Dam Improvement Project 2035
4&5	S5.4: Implement projects and plans to increase the flexibility and resilience of flood protection operations and assets.	All future asset management plans incorporate climate change impact assessment	100% target starting FY23.	FY22 - 0 asset management plans incorporate climate change. FY23 - 2 asset management plans will include climate change (Stevens Creek and District-wide asset mgmt. plan) FY24 forward - New asset management plans in FY24 and after will incorporate climate change solutions to improve the reliability of aging water supply infrastructure, and to promote adaptation, resilience, and flexibility in flood protection assets.

5	S5.5: Expand the use of flood forecasting and modeling tools in the planning and design of agency projects to maximize protection from flood risks.	All flood protection projects are planned and designed with flexibility and according to updated procedures that incorporate future climate change scenarios in flood risk modeling.	100% target	<p>Valley Water is addressing climate related flood impacts for tidal and fluvial/stream projects.</p> <p>Tidal: Most flood protection capital projects with tidal reaches from 2006 and after accommodate a measure of sea level rise, typically up to about 2 to 2.6 ft for a 100 year flow event with coincident 10 year coastal flood event.</p> <p>Fluvial: Valley Water is still in the process of determining how to address climate risk for flooding on streams. Some possible approaches include adaptive projects, such as building wider levee foundations (in levee reaches) or footings (for floodwall reaches), or buying out of land/properties near existing detention ponds so that levees/floodwalls/detention ponds could be expanded more readily to accommodate increased risks.</p>
5&6	S5.3: Improve flood preparedness of people, property, and habitat.	Review of all development projects includes analysis for floodplain preservation/restoration	100% target	Community Projects Review Unit is informing external developers of the Guidelines and Standards for Land Use Near Streams with each review it carries out.
6	S6.1: Protect and enhance riverine, coastal, and other watershed ecosystems to improve climate change resilience and wildlife habitat.	Channel length with connected riverine aquatic and riparian habitat	Increase channel length with a riparian width of >10 m for the mainstem and tributaries.	Tracking data per watershed for channel length with connected riverine aquatic and riparian habitat. Data now collected for Coyote, Guadalupe and Upper Pajaro Watersheds.
6	S6.1: Protect and enhance riverine, coastal, and other watershed ecosystems to improve climate change resilience and wildlife habitat.	Total acreage of restored tidal marsh in Santa Clara County	5,355 acres planned for restoration to tidal marsh	<p>490 acres of tidal marsh restoration complete (Ponds A6 and A17)</p> <p>South San Francisco Bay Shoreline Project Phase 1 has broken ground and will continue through FY28. Project will restore 2,895 acres of tidal marsh when complete (Ponds A9 -A15, A18).</p> <p>Calabazas San Tomas Aquino Creeks-Marsh Connection Project began planning and pre-project monitoring phase. Project will support eventual restoration of A8 complex and A4.</p> <p>Valley Water exploring partnership opportunities with VTA to include Pond A4 in beneficial reuse of material excavated for downtown San Jose BART extension.</p>

6	S6.2: Develop and expand programs and plans that support more climate-resilient ecosystems.	Climate resistant plant palettes are developed in coordination with Valley Habitat Agency.	# projects utilizing climate smart palettes in planning or implementation phase	Three projects utilizing climate smart palettes as of FY23. Point Blue Conservation Science has developed a climate smart restoration tool that provides site-specific restoration plant palettes. VHA has used this in one implemented project (Pajaro River Agriculture Preserve, in cooperation with OSA) and two projects in planning stages (Pacheco, Davidson Property). VHA will not be including explicit specific palettes in the VHP but will continue to utilize climate smart palettes in planting projects.
6	S6.2: Develop and expand programs and plans that support more climate-resilient ecosystems.	Implement programs to monitor and address aquatic invasive species and harmful algal blooms	No detections of invasive mussel species in Valley Water reservoirs, and no detections of cyanotoxins in surface waters	FY22: No detections of invasive mussel species in Valley Water reservoirs, and no detections of cyanotoxins in surface water.
7	S7.1: Maximize Valley Water's emergency preparedness for climate related impacts (e.g.: from flooding, extreme heat events, fire, severe storms).	Complete flood management plans/procedures (e.g. EAPs and annexes) based on risk priorities.	SCWF2 KPI: Complete 2 flood management plans/procedures per year, selected by risk priority, for the next 15 years.	For FY22 staff is tracking existing flood management plans and procedures (e.g. emergency action plans) plus newly created plans and procedures tracked by the Safe Clean Water Program. Results are as follows: Pre-FY22 (19 EAPs (creeks and reservoirs) complete) + FY22 (2 EAPs complete) = 21 total EAPs to date. This 21 complete is 43% of the target of 49 total when you consider Valley Waters commitment to develop 2 flood management plans/procedures (e.g. EAPs) per year for the first 15 years of the SCW Program.
7	S7.1: Maximize Valley Water's emergency preparedness for climate related impacts (e.g.: from flooding, extreme heat events, fire, severe storms).	31 forecast points (22 stream + 9 reservoir) SCWF7 (KPI#2): Improve flood forecast accuracy and emergency response time working with the National Weather Service and through research and development.	35 forecast points	Continued ongoing operations for the current 31 forecast points and updated runoff modeling to improve accuracy. Considering an additional 4 forecast points for a total of 35 forecast points. Also included new weather forecasting tools and forecasts: In FY22, Valley Water completed migrating the old ALERT1 webpage to a cloud-hosting service, which should improve performance and reliability. The new surface water monitoring website will replace the old ALERT webpage and consolidate the flood warning and flood watch pages. During the year, Valley Water also began initial work on incorporating forecast data from UC San Diego Scripps Institute – Center for Western Weather and Water Extremes (C3WE). C3WE has become a research leader in atmospheric rivers, the primary rain generator in the western United States, improving on current forecasts from NWS.



CCAP Annual Implementation Update

Board Policy and Planning Committee
August 10, 2023



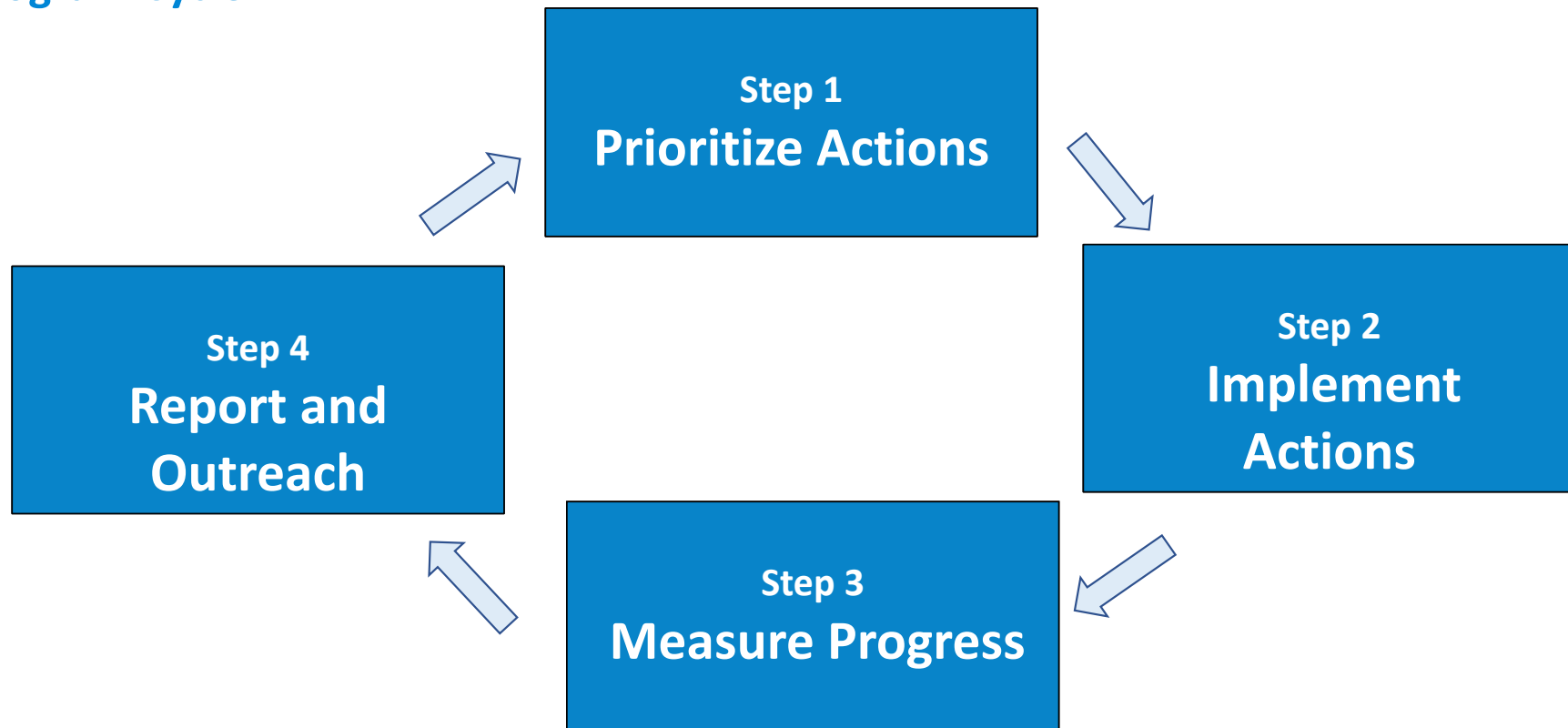
Climate Change Action Plan

Valley Water's framework for climate change response

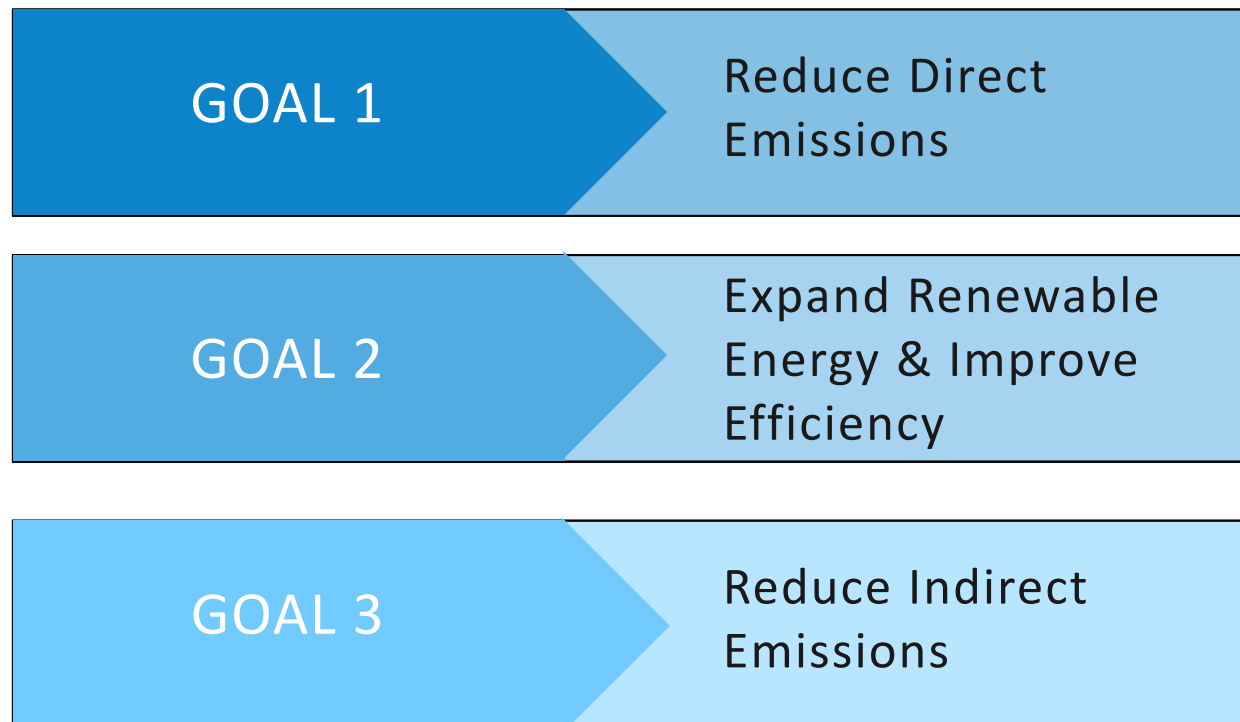
- Identify **vulnerabilities** and assess **risk** to water supply, flood protection, and stewardship objectives
- Present climate change mitigation and adaptation **strategies and actions** to address risks
- **Report progress** and **gather feedback**

CCAP Implementation Program

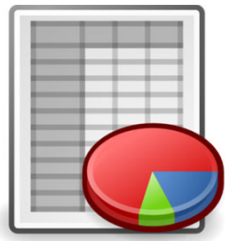
Program Cycle



CCAP Mitigation Goals



Climate Mitigation Priorities

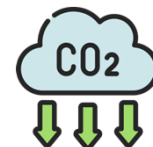


Action 1.6.2: Include additional GHG sources in inventory



Action 1.6.4: Evaluate preparation of Qualified GHG Reduction Plan

Purpose of CEQA-Qualified GHG Reduction Plan



Quantify baseline and projected GHG emissions



Establish reduction targets



Identify feasible GHG reduction measures (including performance standards)

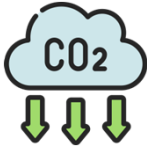


Develop implementation steps (and financing mechanisms)



Adopt document in a public process following environmental review

Benefits of CEQA-Qualified Climate Action Plan



Addressing GHG emissions through adopted plan

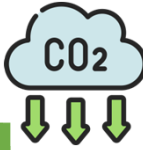


CEQA tiering/streamlining (legally defensible project-level analysis approach)



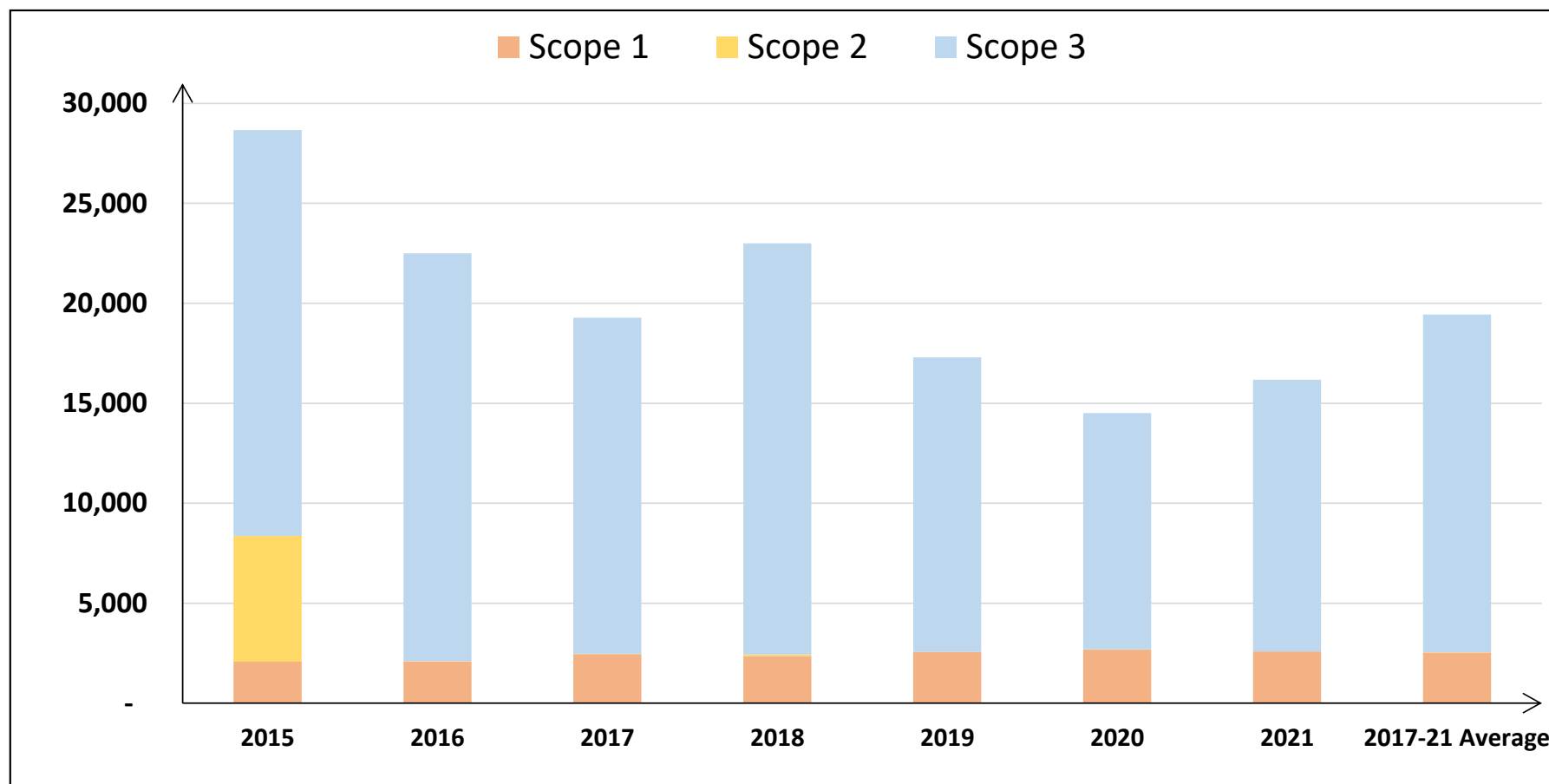
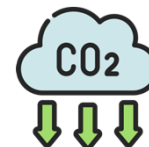
Compliance with CARB, OPR, and BAAQMD guidelines

Updated Emission Accounting Methodology

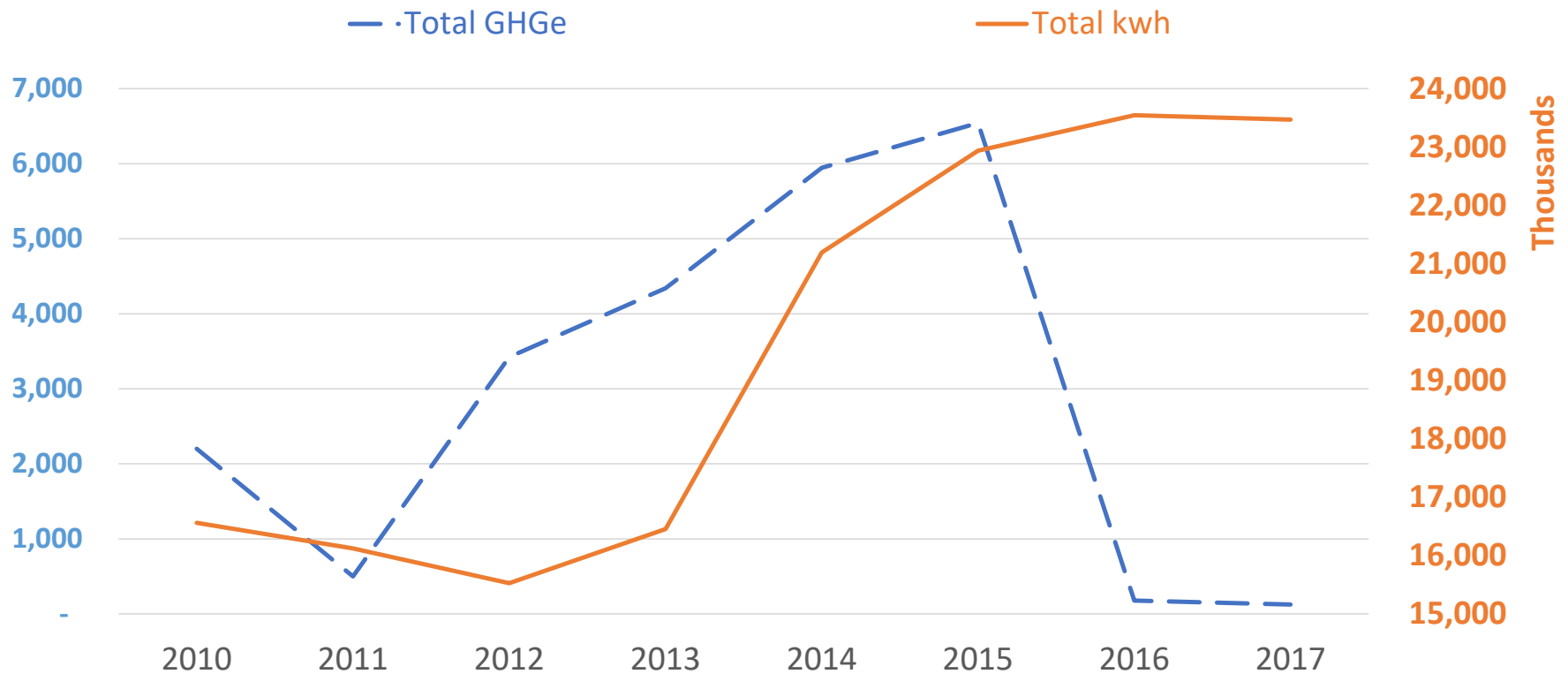
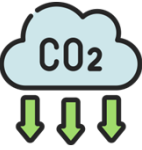


Emission Scope	Emission Sources Accounted For As of June 2020	2023 Update Being Considered
Scope 1	Gasoline/Diesel/Natural Gas/Refrigerant uses from Valley Water Fleet and Operations	No Change in Emission Sources Emission Factors from CARB's EMFAC Model Rather Than the Climate Registry
Scope 2	Purchased Electricity from <ul style="list-style-type: none"> Power and Water Resources Pooling Authority (PWRPA), PG&E and Various Community Choice Aggregations (CCA) 	Added Transmission/Distribution Loss
Scope 3	Imported Water Employee Commute Business Commute	Added: Construction Solid/Wastewater Related Waste Hauling from Maintenance Sites

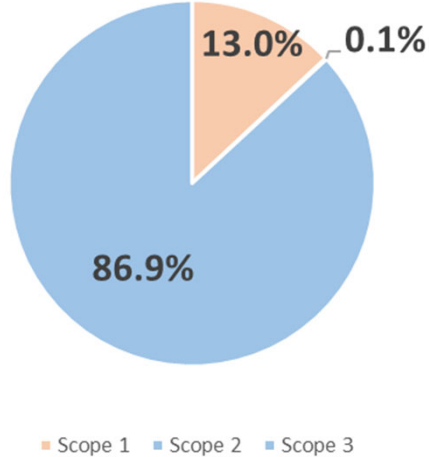
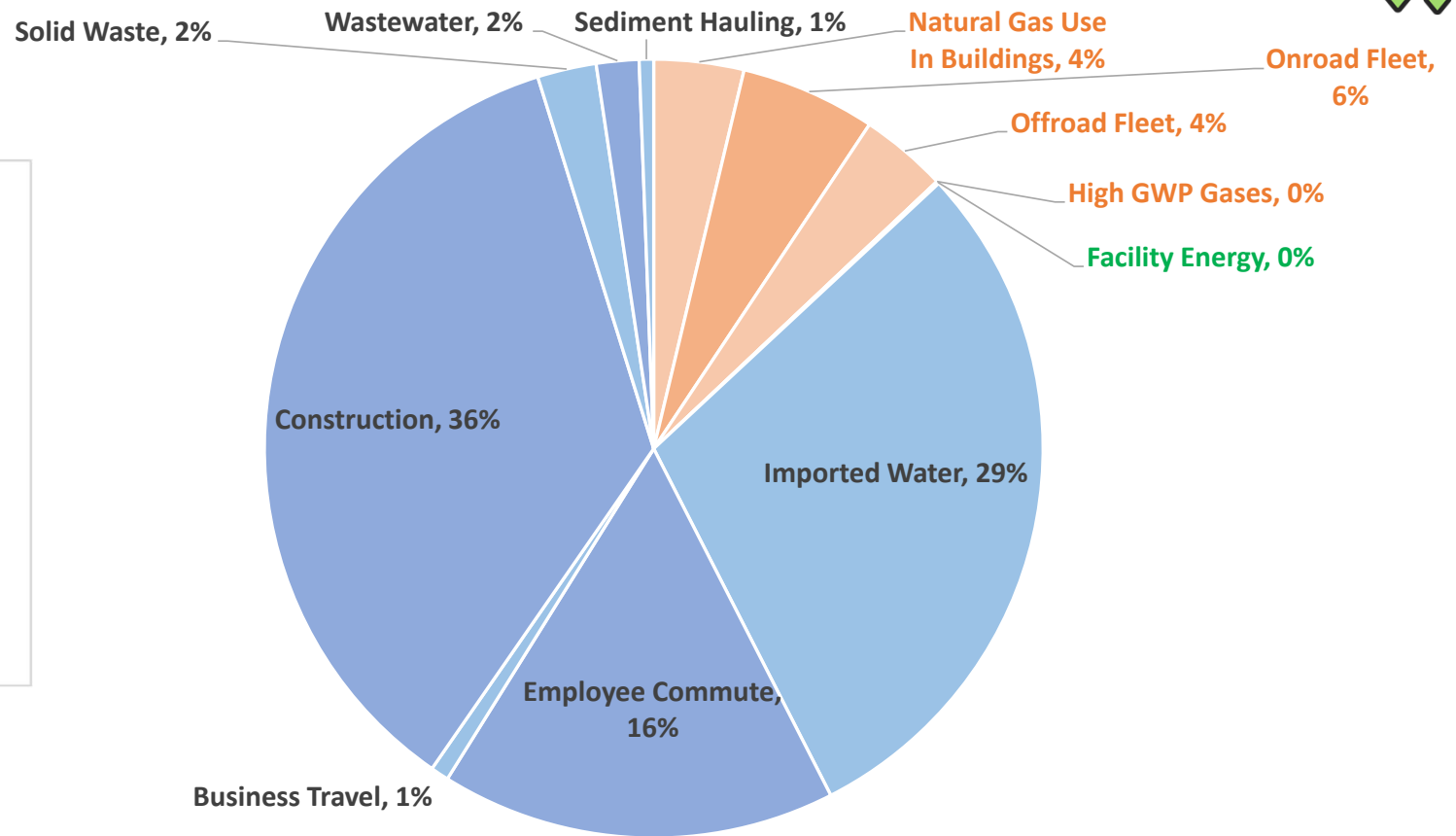
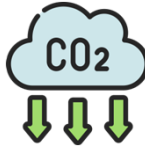
Updated Emission by Scope (MT CO₂e)



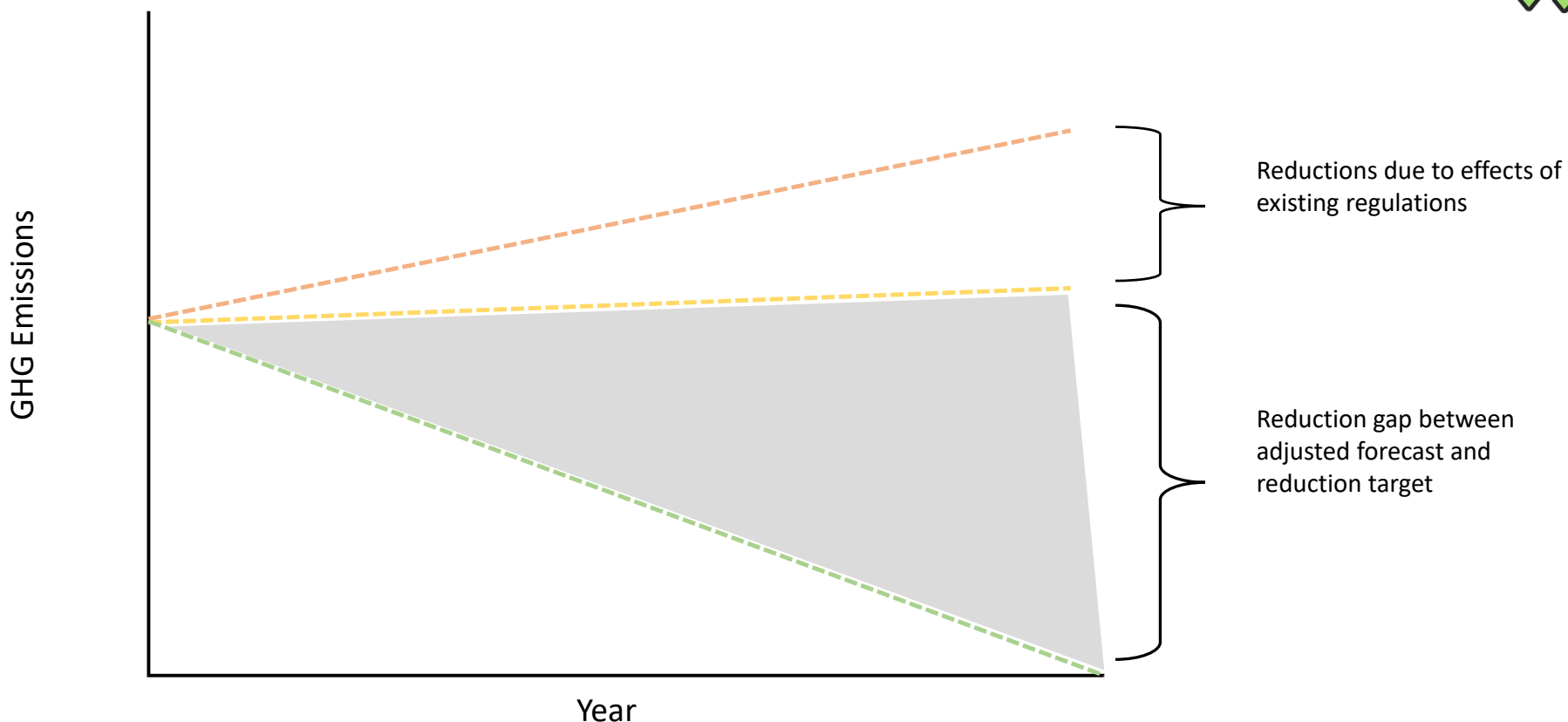
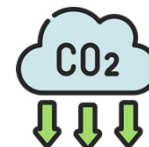
Emission Reduction Through Greener Energy



Baseline (2017-2021: GHG Emissions by Sector (MT CO2e)

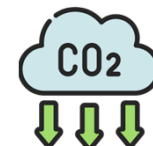


GHG Forecast and Targets



*For illustrative purposes only

Considerations for Forecast and Targets



State Policy and Trends

- AB 1279
- Advanced Clean Fleet requirements
- State Water Project emissions
- Availability of carbon-free power from PWRPA

Valley Water Policy and Actions

- Ends Policy E-5
- Recycled water expansion
- Larger capital projects
- Scale of reduction measures

Carbon Offsets

- Offset availability
- CEQA defensibility
- Cost

GHG Reduction Targets

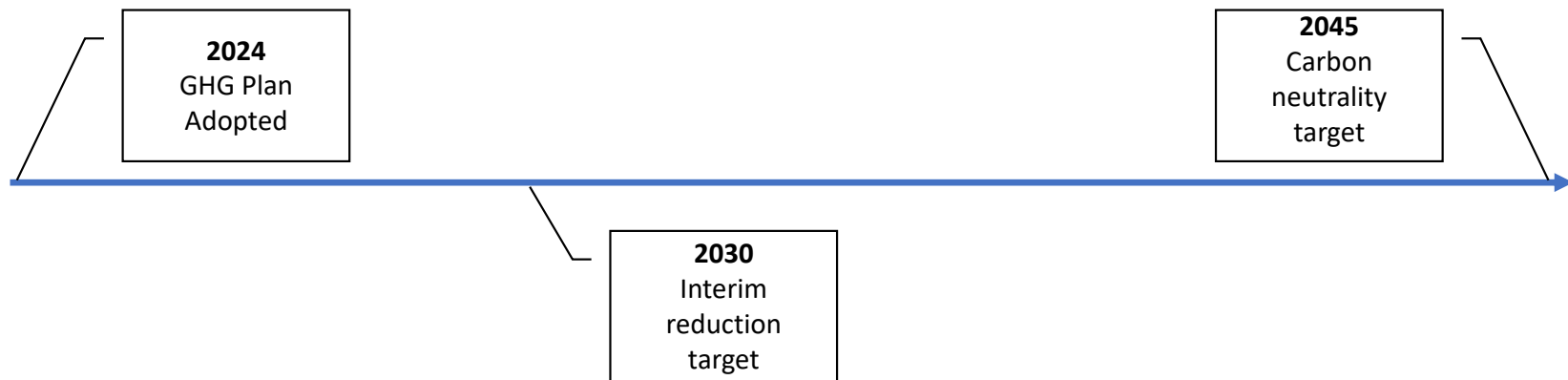


Proposed Carbon Neutrality Target Year

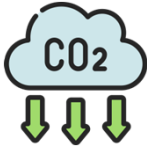
- 2045: Consistent with AB 1279

Proposed Interim Target Year

- 2030: Linear reduction between baseline emissions and 2045 carbon neutrality target
- Provides checkpoint between plan adoption and carbon neutrality target



Developing/Tracking GHG Reduction Measures



Step 1: Quantify current emissions.

Step 2: Forecast future emissions, accounting for business needs increases and legislative reductions

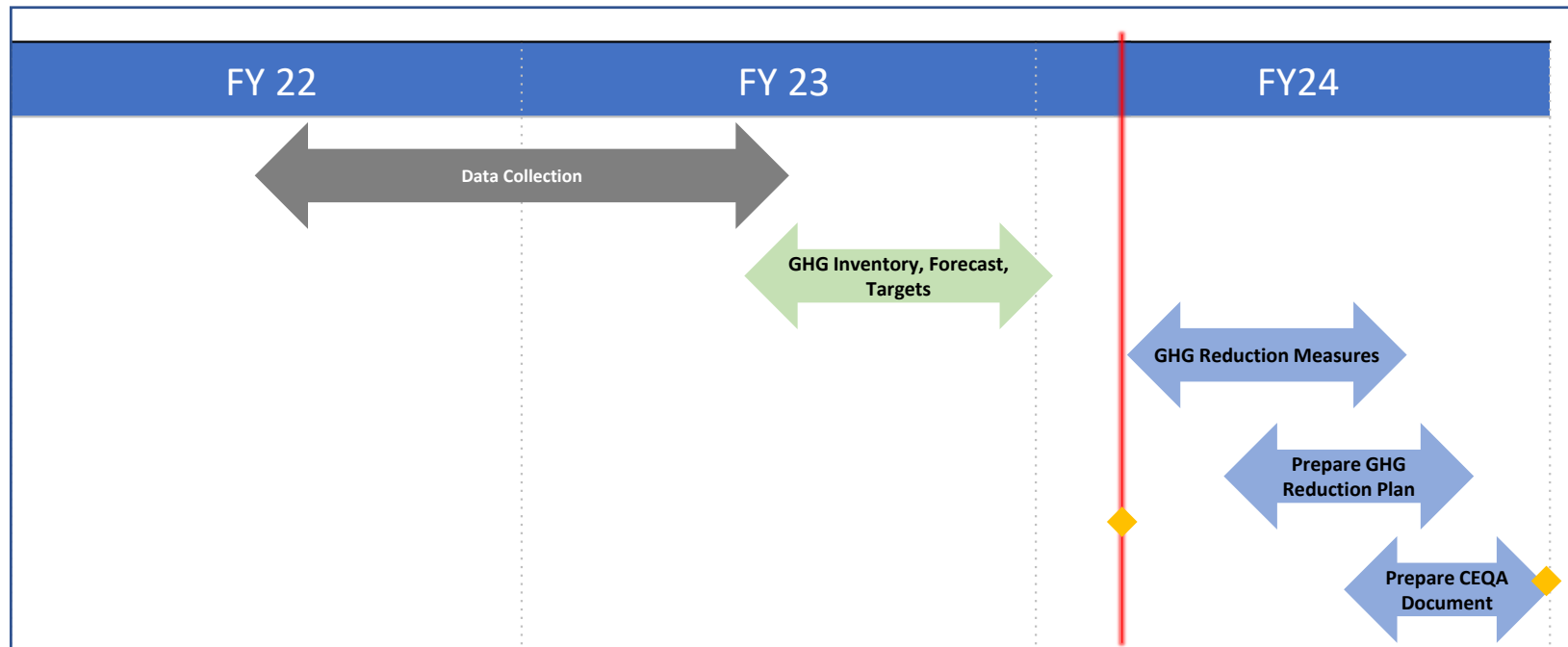
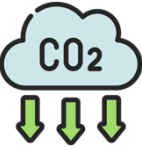
Step 3: Determine specific measures needed and resources and timeline for implementation

Step 4: Continue to track emissions inventory and evaluate effectiveness of the reduction measures implemented.



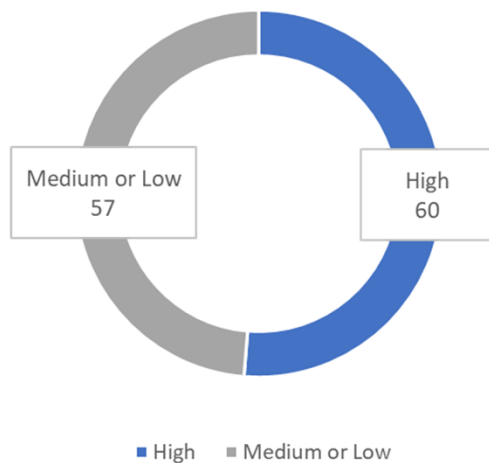
GHG Reduction Plan

Next Steps and Schedule



CCAP Adaptation Goals

High Priority Actions (Goals 4 - 7)

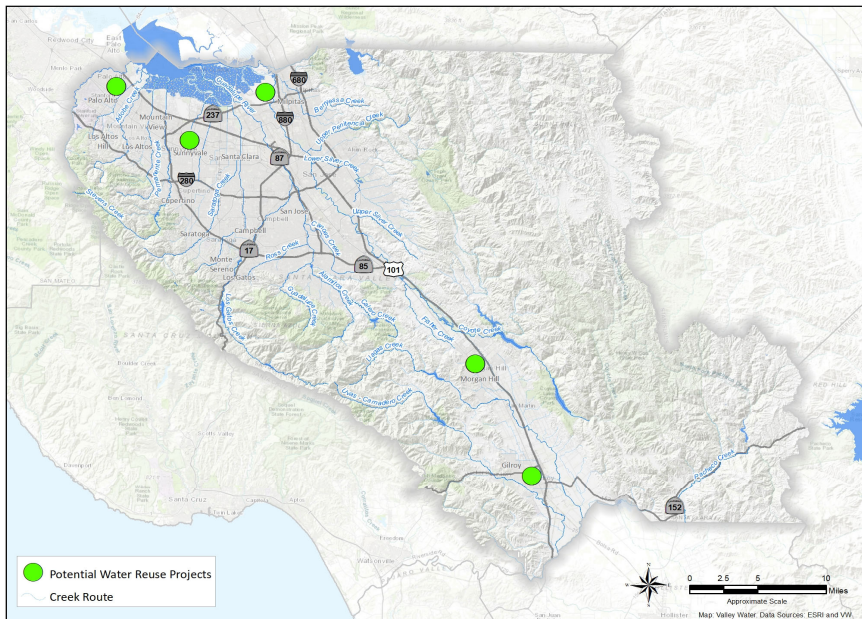


GOAL 4	Water Supply Adaptation
GOAL 5	Flood Protection Adaptation
GOAL 6	Ecosystem Adaptation
GOAL 7	Emergency Preparedness

Flagship Metrics: Water Supply Adaptation

**Average annual water conservation savings,
targeting 109,000 AF annually by 2040.**

Progress Update: 80,070 AF conserved in FY2022



Percent of local supply in overall portfolio.

Progress Update: 6% actual vs 10% target by 2030.

Flagship Metrics: Stewardship Adaptation

All flood protection projects are planned and designed with **flexibility** and according to updated procedures that **incorporate future climate change scenarios** in flood risk modeling.

Progress Update:

1. All projects with tidal influence planned for sea level rise up to 2.6 feet.
 - Shoreline Phase 1
 - Sunnyvale West Channel
2. Fluvial project adaptation under development



Flagship Metrics: Ecosystem Stewardship

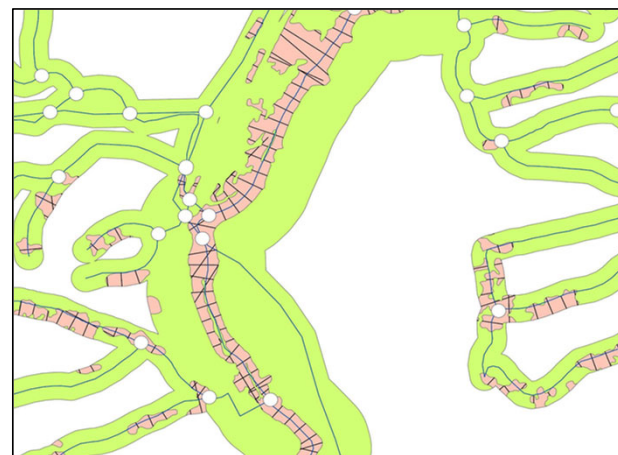
Channel length with contiguous riparian habitat per watershed

Progress Update:

Guadalupe: 35% of channel

Total acreage of restored tidal marsh in Santa Clara County

Progress Update: 490 acres of tidal marsh restoration complete (Ponds A6 and A17)

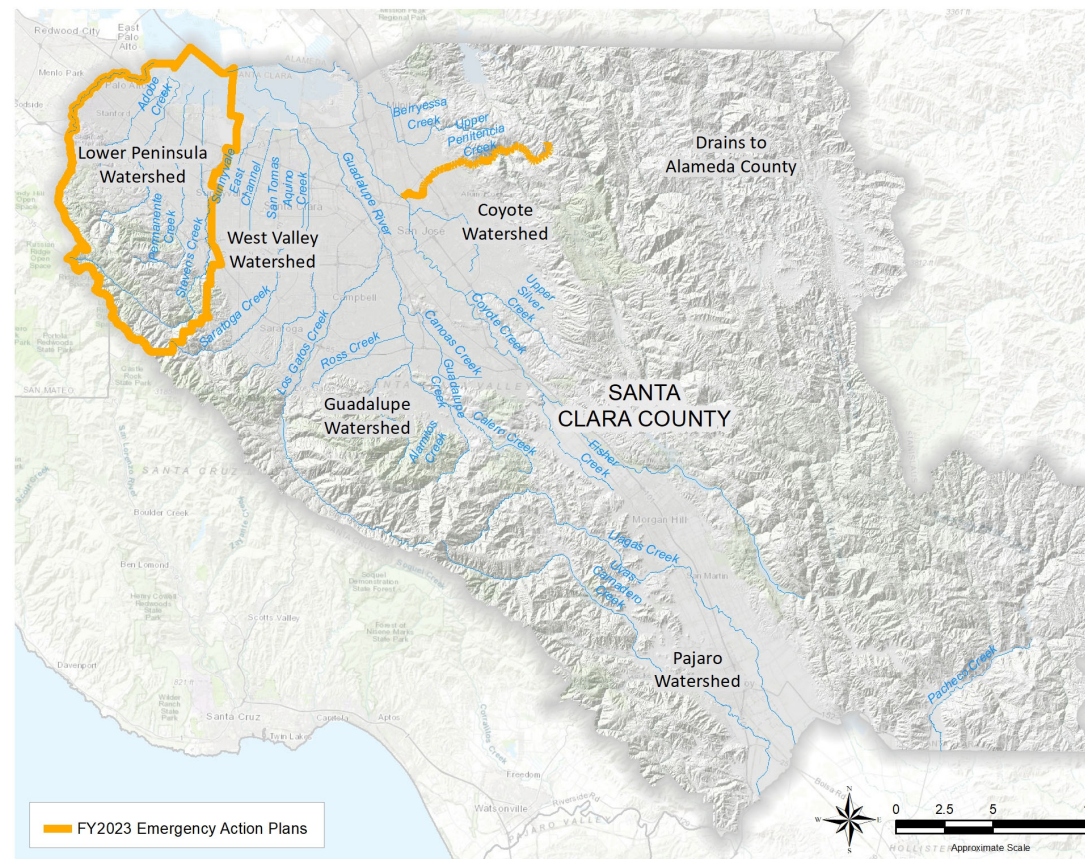


Flagship Metrics: Emergency Preparedness

Complete flood management plans/procedures (e.g., EAPs and annexes) based on risk priorities.

Progress Update:

Added Upper Penitencia Creek to the Joint Emergency Action Plan
Completed the Lower Peninsula Watershed Emergency Action Plan



CCAP Implementation Program Outreach

Staff engaged in numerous working groups and forums to collaborate with other public agencies

- Santa Clara County Climate Collaborative
- Bay Adapt
- SF Bay Regional Coast Hazards Adaptation Resiliency Group (CHARG)
- US Water Alliance GHG Reduction Cohort



QUESTIONS





Santa Clara Valley Water District

File No.: 23-0829

Agenda Date: 8/10/2023

Item No.: 4.5.

COMMITTEE AGENDA MEMORANDUM Board Policy and Planning Committee

Government Code § 84308 Applies: Yes ☐ No ☒
(If "YES" Complete Attachment A - Gov. Code § 84308)

SUBJECT:

Review Committee 2023 Work Plan and Meeting Schedule.

RECOMMENDATION:

- A. Review the 2023 Board Policy and Planning Committee's Work Plan and incorporate any new tasks; and
- B. Schedule Committee meetings as appropriate.

SUMMARY:

This allows the Committee an opportunity to review its 2023 Work Plan and meeting schedule (Attachment 1) and identify additional tasks and schedule meetings as appropriate.

ENVIRONMENTAL JUSTICE IMPACT:

There are no Environmental Justice impacts associated with this item.

ATTACHMENTS:

Attachment 1: 2023 BPPC Work Plan

UNCLASSIFIED MANAGER:

Michele King, 408-630-2711

2023 Board Policy and Planning Committee Work Plan and Schedule

Subject	Task	1/11/23	2/6/23	3/6/23	4/3/23	4/28/23	6/5/23	6/30/23	8/10/23	9/4/23	10/2/2023	11/6/2023	12/4/2023
Board Planning Process	A. Provide Support for Board Planning Activities												
	1. Discuss FY23-24 Board Budget Message & Board Work Plan						X						
	2. Planning for Board's FY23-24 Strategic Planning Workshop												
	B. Provide Support for Board Policy Review												
	1. Update on Expansion of the Water Resources Protection Manual	X											
	2. Fuel Management Policy and Wildfire Resilience Plan												
	3. One Water Watershed Plans									X			
	4. Update on Climate Change Action Plan Implementation Update.	X							X				
	5. Develop a Board Ethics and Code of Conduct Board's Governance Policy for Board Approval.			X		X	X	X	X				
	6. Review Board Governance Policies related to the Election of the Board Chairperson/Vice Chairperson and the Chairperson's role.			X			X						
	7. Unhoused Ends Policy						X		X				
Board Committees Principles and Structures	C. Align Board Committees' Work Plans with Board Planning Calendar												
	1. Review Effectiveness of Board Advisory Committees (External) - Meet with BPPC prior to presenting Accomplishment Reports to Board.		X		X					X			
Other Assignments Requested by Board	D. Other Assignments as Requested by the Board												
	1. Analyze Santa Clara County Civil Grand Jury Final Report: If You Only Read the Ballot, You're Being Duped, October 7, 2022, and Provide Recommendations to Full Board by March 31, 2023.		X										
	2. Review Candidate Statement Fee Associated with Filing for a Santa Clara Valley Water District Board of Director Seat								X				

2023 Board Policy and Planning Committee Accomplishments Report		
Subject	Task	Action Taken
Board Planning Process	A. Provide ongoing support for Board Planning Activities	
	1. Discuss FY23-24 Board Budget Message & Board Work Plan	6/5/23 - Committee reviewed draft plan, provided input and recommended approval to the Board.
	2. Planning for Board's FY23-24 Strategic Planning Workshop	
	B. Provide Support for Board Policy Review	
	1. Expansion of the Water Resources Protection Manual	1/11/23 - Received an update and provided input on the WRPM and outreach efforts related to the guidelines and standards for land use near streams.
	2. Fuel Management Policy and Wildfire Resilience Plan	
	3. One Water Watershed Plans	
	4. Climate Change Action Plan Implementation Update.	1/11/23 - Received an update and provided input on high-priority climate change mitigation and adaption actions.
	5. Develop a Board Ethics and Code of Conduct Board's Governance Policy for Board Approval.	3/6/23 - Committee requested the Chair work with staff to create a draft policy framework for review and input. 6/30/23 – Committee reviewed draft policy, provided input, made revisions and will recommend that the Board approve.
	6. Review Board Governance Policies related to the Election of the Board Chairperson/Vice Chairperson and the Chairperson's role.	3/6/23 - Committee requested that staff return to the Board to clarify this assignment and probably outcome. 6/5/23 – Committee reviewed policy and recommended to the Board that it be revised to allow the Board Chairperson/Vice Chairperson be elected by a simple majority; and requested more direction on the policy related to the role of the Chairperson.
Board Committees Principles and Structures	7. Unhoused Ends Policy	6/5/23 - Committee reviewed draft policy, provided input and requested that staff return in August with new draft.
	C. Align Board Committees' Work Plans with Board Planning Calendar	
Other Assignments Requested by Board	1. Review Effectiveness of Board Advisory Committees (External) - Meet with BPPC prior to presenting Accomplishment Reports to Board.	2/6/23 - Board Advisory Committee Chairs/Vice Chairs attended meeting and provided feedback. Information collected will be shared with the Committees and will return to the BPPC for possible recommendations to the Board.
	D. Assignments as Requested by the Board	
	1. Analyze Santa Clara County Civil Grand Jury Final Report: If You Only Read the Ballot, You're Being Duped, October 7, 2022, and Provide Recommendations to Full Board by March 31, 2023.	2/5/23 - BPPC reviewed the report and made recommendations to the full board.
	2. Review Candidate Statement Fee Associated with Filing for a Santa Clara Valley Water District Board of Director Seat	