



Santa Clara Valley Water District Board of Directors Meeting

Headquarters Building Boardroom

***AMENDED/APPENDED**
AMENDED 11:00 AM CLOSED SESSION AND 1:00 PM
REGULAR MEETING
AGENDA

Tuesday, March 10, 2020
11:00 AM

***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.

DISTRICT BOARD OF DIRECTORS

Nai Hsueh, Chair, District 5
Tony Estremera, Vice Chair, District 6
John L Varela, District 1
Barbara Keegan, District 2
Richard P. Santos, District 3
Linda J. LeZotte, District 4
Gary Kremen, District 7

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 for public inspection at the Office of the Clerk of the Board at the Santa Clara Valley Water District Headquarters Building, 5700 Almaden Expressway, San Jose, CA 95118, at the same time that the public records are distributed or made available to the legislative body. Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to attend Board of Directors' meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

NORMA CAMACHO
Chief Executive Officer

MICHELE L KING, CMC
Clerk of the Board
(408) 265-2600
Fax (408) 266-0271
www.valleywater.org

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 of Directors**

***AMENDED/APPEDED
AGENDA**

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Tuesday, March 10, 2020

11:00 AM

Headquarters Building Boardroom

1. CALL TO ORDER:

1.1. Roll Call.

2. TIME CERTAIN:

11:00 AM

Notice to the Public: The Board of Directors meets in Closed Session in accordance with the Ralph M. Brown Act. Following the conclusion of Closed Session discussion, the Board will return for the remaining items on the regular meeting agenda.

2.1. CLOSED SESSION WITH LEGAL COUNSEL [20-0250](#)
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957(b)(1)
Title: CEO, District Counsel and Clerk of the Board

2.2. CLOSED SESSION [20-0252](#)
PUBLIC EMPLOYEE APPOINTMENT
Pursuant to Government Code Section 54957(b)(1)
Title: Chief Executive Officer/General Manager

*2.3. CLOSED SESSION [20-0329](#)
CONFERENCE WITH LEGAL COUNSEL
Initiation of litigation
Government Code Section 54956.9(d)(4)
One case

1:00 PM

*2.4. District Counsel Report. (PREVIOUSLY LISTED AS ITEM 2.3)

*2.5. Pledge of Allegiance/National Anthem. (PREVIOUSLY LISTED AS ITEM 2.4)

*2.6. Orders of the Day. (PREVIOUSLY LISTED AS ITEM 2.5)
A. *Approximate Discussion Time (Board); and*
B. *Adjustments to the Order of Agenda Items.*

- *2.7. Time Open for Public Comment on any Item not on the Agenda.
(PREVIOUSLY LISTED AS ITEM 2.6)

Notice to the public: This item is reserved for persons desiring to address the Board on any matter not on this agenda. Members of the public who wish to address the Board on any item not listed on the agenda should complete a Speaker Card and present it to the Clerk of the Board. The Board Chair will call individuals to the podium in turn. Speakers comments should be limited to three minutes or as set by the Chair. The law does not permit Board action on, or extended discussion of, any item not on the agenda except under special circumstances. If Board 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 may take action on any item of business appearing on the posted agenda.

- *2.8. ITEM REMOVED FROM AGENDA (Sandy Rosenthal Presentation on her upcoming book, Words Whispered in Water: Why the Levees Broke in Hurricane Katrina (Mango Publishing) (PREVIOUSLY LISTED AS ITEM 2.7))

- *2.9. Update on United States Army Corps of Engineers Partnership Projects for Fiscal Year 2020. (PREVIOUSLY LISTED AS ITEM 2.8) [20-0143](#)

Recommendation: Receive and discuss information related to status of the United States Army Corps of Engineers projects where Valley Water is the Local Sponsor, Co-Local Sponsor, or member of a Local Sponsor Agency.

Manager: Ngoc Nguyen, 408-630-2632
Vincent Gin, 408-630-2633
Heath McMahon, 408-630-3126

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 10 Minutes

- *2.10 Adopt Fiscal Year 2021 Federal Appropriations Requests. (PREVIOUSLY LISTED AS ITEM 2.9) [20-0147](#)

Recommendation: Adopt the recommended federal Fiscal Year (FY) 2021 appropriations requests for Valley Water-sponsored and Valley Water-supported projects.

Manager: Rachael Gibson, 408-630-2884

Attachments: [Attachment 1: Federal Appropriation Requests for FY 2021](#)

Est. Staff Time: 5 Minutes

3. CONSENT CALENDAR: (3.1 - 3.7) (Est. Time: 5 Minutes)

Notice to the public: There is no separate discussion of individual consent calendar items. Recommended actions are voted on in one motion. If an item is approved on the consent vote, the specific action recommended by staff is adopted. Items listed in this section of the agenda are considered to be routine by the Board, or delegated to the Board Appointed Officers (BAOs) yet required by law or contract to be Board approved (EL-7.10). Any item may be removed for separate consideration at the request of a Board member. Whenever a resolution is on the consent calendar, a roll call vote will be taken on the entire calendar. Members of the public wishing to address the Board on any consent items should complete a Speaker Card and present it to the Clerk of the Board.

- 3.1. Adopt Resolution Setting Time and Place of Public Hearing to Consider Adopting Modified Groundwater Benefit Zones W-2 and W-5, and New Groundwater Benefit Zones W-7 and W-8. [20-0201](#)

- Recommendation:
- A. Adopt the RESOLUTION SETTING TIME AND PLACE OF PUBLIC HEARING TO CONSIDER ADOPTING MODIFIED GROUNDWATER BENEFIT ZONES W-2 AND W-5, AND NEW GROUNDWATER BENEFIT ZONES W-7 AND W-8; and
 - B. Set time and place for public hearing to occur on April 14, 2020 at 1:00 p.m., at the Santa Clara Valley Water District Board Room, 5700 Almaden Expressway, San Jose, CA 95118.

Manager: Garth Hall, 408-630-2750

Attachments: [Attachment 1: Map, Existing and Proposed Zones](#)
[Attachment 2: Resolution](#)
[Attachment 3: Notice of Public Hearing](#)

- 3.2. Deny Claim of Kiara Jones. (Continued from January 28, 2020) [20-0163](#)

Recommendation: Deny the claim.

Manager: Stan Yamamoto, 408-630-2755

Attachments: [Attachment 1: Claim](#)
[Attachment 2: Repair Estimate](#)

- 3.3. Claim of David Walter Wessel and Karen Michele Platt. [20-0200](#)

Recommendation: Deny the claim.

Manager: Stan Yamamoto, 408-630-2755

Attachments: [Attachment 1: Claim](#)

- 3.4. Membership Nomination for Board Chair Re-Appointment to the Agricultural Water Advisory Committee. [20-0215](#)
Recommendation: Consider Board Chair's one-year re-appointment to the Agricultural Water Advisory Committee.
Manager: Michele King, 408-630-2711
Attachments: [Attachment 1: SCVWD Resolution 17-75](#)
- 3.5. Approve the Board of Directors' Quarterly Expense Report for the Quarter Ending December 31, 2019. [20-0230](#)
Recommendation: A. Review the Board of Directors' Quarterly Expense Report for the Quarter Ending December 31, 2019; and
B. Approve the report, if the reimbursements comply with Board Policy.
Manager: Darin Taylor, 408-630-3068
Attachments: [Attachment 1: Quarterly Expense Reports](#)
- *3.6. Accept the CEO Bulletins for the Weeks of February 21-27, and February 28 Through March 5, 2020. [20-0268](#)
Recommendation: Accept the CEO Bulletins.
Manager: Norma Camacho, 408-630-2084
Attachments: [Attachment 1: 022720 CEO Bulletin](#)
[*Attachment 2: 030520 CEO Bulletin](#)
- *3.7. Approval of Minutes. [20-0288](#)
Recommendation: Approve the minutes.
Manager: Michele King, 408-630-2711
Attachments: [Attachment 1: 012820 Regular Meeting Minutes](#)
[Attachment 2: 020420 Special Meeting Minutes](#)
[*Attachment 3: 021120 Regular Meeting Minutes](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

*4.1. Board Committee Reports. [20-0223](#)

Attachments: [*Handout 4.1-A: 021920 BAC Summary](#)
[*Handout 4.1-B: 021020 CIP Summary](#)
[*Handout 4.1-C: 022420 AWAC Summary](#)
[*Handout 4.1-D: 030920 CIP Agenda](#)

4.2. Proposed Future Board Member Agenda Items.

*4.3. Santa Clara Valley Water District Youth Commission's Recommendations and Associated Staff Analyses from the Commission's February 19, 2020 Meeting. [20-0272](#)

Recommendation: That the Board consider the following recommendations by the Santa Clara Valley Water District Youth Commission:

- A. Consider the Artist, Mr. Paul J. Gonzalez's drawings for the Adopt-A-Bench Project; and
- B. Consider the Commissioners having a signature on the seven benches from the 2019-2020 group for historical purposes.

Manager: Rick Callender, 408-630-2017

Attachments: [Attachment 1: Bench Artwork Designs](#)

Est. Staff Time: 5 Minutes

5. WATER UTILITY ENTERPRISE:

*5.1. Amendment One to Contract No. C0601 for the Rinconada Water Treatment Plant Reliability Improvement Project, Balfour Beatty Infrastructure, Inc., Contractor, Project No. 93294057, Contract No. C0601 (Los Gatos) (District 7). [20-0296](#)

Recommendation: Approve Amendment One to Contract dated May 26, 2015, Rinconada Water Treatment Plant Reliability Improvement Project with Balfour Beatty Infrastructure, Inc.

Manager: Heath McMahon, 408-630-3126

Attachments: [*Supplemental Agenda Memorandum](#)
[*Supplemental Attachment 1: Amendment No. 1](#)
[*Handout 5.1-A: Revised Amendment No. 1](#)

Est. Staff Time: 5 Minutes

6. WATERSHEDS:

- 6.1. Capital Improvement Program Fiscal Year 2020 Progress Report for Watersheds Capital Projects. [20-0142](#)

Recommendation: Receive information from staff on the Fiscal Year (FY) 2020 Capital Improvement Program (CIP) progress reports for key Watersheds capital projects.

Manager: Ngoc Nguyen, 408-630-2632
Chris Hakes, 408-630-3796
Vincent Gin, 408-630-2633
Heath McMahon, 408-630-3126

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 10 Minutes

- 6.2. Management Response to Independent Monitoring Committee Report on Safe, Clean Water and Natural Flood Protection Program Year 6 Annual Report for Fiscal Year 2018-2019. [20-0255](#)

Recommendation: A. Accept Management Response to Independent Monitoring Committee Report on Safe, Clean Water and Natural Flood Protection Program Year 6 Annual Report for Fiscal Year 2018-2019; and
B. Provide additional direction as necessary.

Manager: Melanie Richardson, 408-630-2035

Attachments: [Attachment 1: Management Response Table](#)
[Attachment 2: PowerPoint](#)

Est. Staff Time: 10 Minutes

7. EXTERNAL AFFAIRS:

8. CHIEF EXECUTIVE OFFICER:

- *8.1. CEO and Chiefs' Report. [20-0402](#)

Attachments: [*Handout 8.1-A, Storm Report](#)
[*Handout 8.1-B, Office of Civic Engagement Update](#)
[*Handout 8.1-C, Office of Communications Update](#)

- *8.2. Update on Coronavirus Response.

9. ADMINISTRATION:

10. DISTRICT COUNSEL:

11. ADJOURN:

- 11.1. Board Member Reports/Announcements.
- 11.2. Clerk Review and Clarification of Board Requests.
- 11.3. Adjourn to 12:00 p.m. Closed Session and 2:00 p.m. Special Meeting on March 18, 2020, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.