



Santa Clara Valley Water District Board of Directors Meeting

Headquarters Building Boardroom
5700 Almaden Expressway
San Jose, CA 95118

***AMENDED/APPEDED**
11:00 A.M. CLOSED SESSION AND
1:00 P.M. REGULAR MEETING AGENDA

Tuesday, August 14, 2018
11:00 AM

***ITEMS AMENDED AND/OR APPEDED 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

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

**Santa Clara Valley Water District
Board of Directors**

***AMENDED/APPEDED
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Tuesday, August 14, 2018

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

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957(b)(1)

Title: District Counsel, Clerk of the Board and Chief Executive Officer

[18-0643](#)

1:00 PM

2.2. District Counsel Report.

2.3. Pledge of Allegiance/National Anthem.

2.4. Orders of the Day.

A. Approximate Discussion Time (Board); and

B. Adjustments to the Order of Agenda Items.

2.5. Time Open for Public Comment on any Item not on the Agenda.

Notice to the public: This item is reserved for persons desiring to address the 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.

2.6. Resolution Expressing Appreciation to Kris Cooley, Assistant Water Plant Operator I, for Representing the District at the American Water Works Association Annual Conference and Exposition 2018 “Top Ops” Tournament. [18-0544](#)

Recommendation: Adopt the Resolution EXPRESSING APPRECIATION TO KRIS COOLEY FOR REPRESENTING THE DISTRICT AT THE AMERICAN WATER WORKS ASSOCIATION ANNUAL CONFERENCE AND EXPOSITION 2018 “TOP OPS” TOURNAMENT.

Manager: Nina Hawk, 408-630-2736

Attachments: [Attachment 1: PowerPoint](#)
[Attachment 2: Resolution](#)

Est. Staff Time: 5 Minutes

2.7. County of Santa Clara AlertSCC Mass Notification System. [18-0525](#)

Recommendation: Receive presentation on the County of Santa Clara’s AlertSCC Mass Notification System and collaborative efforts to provide consistent messaging to the public during an emergency.

Manager: Tina Yoke, 408-630-2385

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 15 Minutes

3. CONSENT CALENDAR: (3.1 - 3.13) (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. Amendment No. 1 to Option Agreement for Acquisition of Temporary Construction Easement (TCE) Interest from Anita S. Siegel, Trustee or Successor Trustee of the Anita S. Siegel 2001 Trust dated June 27, 2001 (Owner), for the Permanente Creek Flood Protection Project (Project), Project No. 26244001, APN No. 189-03-047, Real Estate File No. 1016-84 (Los Altos) (District 5). [18-0635](#)

Recommendation: Approve and authorize the Chief Executive Officer to execute Amendment No. 1 to Option Agreement for Acquisition of Temporary Construction Easement Interest from Anita S. Siegel, Trustee or Successor Trustee of the Anita S. Siegel 2001 Trust dated June 27, 2001 (Owner) to reflect the New Baseline Rent being paid to the Owner by her tenants.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Amendment No. 1](#)
[Attachment 2: Option Agreement](#)

- 3.2. Amendment No. 2 to Standard Consultant Agreement No. A4056G with Stantec Consulting Services, Inc., for the Pacheco Reservoir Proposition 1 Application Study Project. [18-0619](#)

Recommendation: Approve and authorize the CEO to execute Amendment No. 2 to Standard Consultant Agreement No. A4056G with Stantec Consulting Services, Inc., for consulting services to assist in negotiations with the California Water Commission for the Pacheco Reservoir Proposition 1 Application Project for a not-to-exceed fee of \$80,000, resulting in a total not-to-exceed fee of \$1,272,751 and to extend the Agreement term.

Manager: Christopher Hakes, 408-630-3796

Attachments: [Attachment 1: Amendment No. 2](#)

3.3. Claim of George Clark. [18-0608](#)

Recommendation: Deny the claim.

Manager: Stan Yamamoto, 408-630-2755

Attachments: [Attachment 1: Claim](#)

3.4. Claim of William Minderler. [18-0642](#)

Recommendation: Deny the claim.

Manager: Stan Yamamoto, 408-630-2755

Attachments: [Attachment 1: Claim](#)

3.5. Notice of Completion of Contract and Acceptance of Work for the Board Room Audiovisual Modernization Project, Conti Corporation, Contractor, Project No. 73274010, Contract No. C0634 (San Jose) (District 4). [18-0148](#)

Recommendation: A. Accept the work on the Board Room Audiovisual Modernization Project, Conti Corporation, Contractor, Project No. 73274010, Contract No. C0634 as complete; and
B. Direct the Clerk of the Board to sign the Notice of Completion of Contract and Acceptance of Work and submit for recording to the Santa Clara County Clerk-Recorder.

Manager: Sudhanshu Tikekar, 408-630-2424

Attachments: [Attachment 1: Notice of Completion and Acceptance of Work](#)
[Attachment 2: Construction Contract Acceptance](#)
[Attachment 3: Project Completion Letter](#)
[Attachment 4: Project Delivery Process Chart](#)

- 3.6. Notice of Completion of Contract and Acceptance of Work for the [18-0512](#)
Installation of Cathodic Protection Rectifiers and Deep-Well Anodes on
the Santa Clara Conduit, Alisto Engineering Group, Contractor, Project
No. 95084002, Contract No. C0632 (Santa Clara County).

Recommendation: A. Accept the work on the Installation of Cathodic Protection
Rectifiers and Deep-Well Anodes on the Santa Clara
Conduit, Alisto Engineering Group, Contractor, Project
No. 95084002, Contract No. C0632 as complete; and
B. Direct the Clerk of the Board to sign the Notice of
Completion of Contract and Acceptance of Work and
submit for recording to the Santa Clara County
Clerk-Recorder.

Manager: Katherine Oven, 408-630-3126

Attachments: [Attachment 1: Notice of Completion and Acceptance of Work](#)
[Attachment 2: Construction Contract Acceptance](#)
[Attachment 3: Project Completion Letter](#)
[Attachment 4: Project Delivery Process Chart](#)

- 3.7. Notice of Completion of Contract and Acceptance of Work for the [18-0594](#)
Almaden Valley Pipeline Carbon Fiber Reinforced Polymer Structural
Repair Project, Structural Group, Inc., Contractor, Project No. 95084002,
Contract No. C0636 (San Jose, Los Gatos, Unincorporated Santa Clara
County) (Districts 4 and 7).

Recommendation: A. Accept the work on the Almaden Valley Pipeline Carbon
Fiber Reinforced Polymer Structural Repair Project,
Structural Group, Inc., Contractor, Project No. 95084002,
Contract No. C0636 as complete; and
B. Direct the Clerk of the Board to sign the Notice of
Completion of Contract and Acceptance of Work, and
submit for recording to the Santa Clara County
Clerk-Recorder.

Manager: Katherine Oven, 408-630-3126

Attachments: [Attachment 1: Notice of Completion and Acceptance of Work](#)
[Attachment 2: Construction Contract Acceptance](#)
[Attachment 3: Project Completion Letter](#)
[Attachment 4: Construction Summary](#)
[Attachment 5: Project Delivery Process Chart](#)

- 3.8. Notice of Completion of Contract and Acceptance of Work for the Lower Silver Creek Flood Protection and Creek Restoration Project, Reach 6B (Construction Phase - Milestone 1), Robert A. Bothman, Inc., Contractor, Project No. 40264008, Contract No. C0594 (San Jose) (District 6). [18-0595](#)

Recommendation: A. Accept the work on the Lower Silver Creek Flood Protection and Creek Restoration Project, Reach 6B (Construction Phase - Milestone 1), Robert A. Bothman, Inc., Contractor, Project No. 40264008, Contract No. C0594 as complete; and
 B. Direct the Clerk of the Board to sign the Notice of Completion of Contract and Acceptance of Work and submit for recording to the Santa Clara County Clerk-Recorder.

Manager: Katherine Oven, 408-630-3126

Attachments: [Attachment 1: Notice of Completion and Acceptance of Work](#)
 [Attachment 2: Construction Contract Acceptance](#)
 [Attachment 3: Project Completion Letter](#)
 [Attachment 4: Construction Summary](#)
 [Attachment 5: Project Delivery Process Chart](#)

- 3.9. Membership Nominations for Committee Appointment to the Santa Clara Valley Water District Youth Commission (Youth Commission). [18-0634](#)

Recommendation: Consider nominations for a two-year membership appointment of the two selected Applicants to the Youth Commission.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: SCVWD Resolution No. 17-75](#)
 [Attachment 2: Vo Application](#)
 [Attachment 3: Shih Application](#)

- 3.10. Semi-Annual Lobbyist Report of Individuals Engaged in Compensated Lobbying Activities Aimed at Influencing District Decisions, in Accordance With District Ordinance No. 10-01. [18-0606](#)

Recommendation: Receive the Semi-Annual Lobbyist Report of Individuals Engaged in Compensated Lobbying Activities for the period January 1, 2018 through June 30, 2018.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: Lobbyist Report](#)

- 3.11. Revision to 2018 Board Committee Appointment - San Luis and Delta-Mendota Water Authority - Delta Habitat Conservation and Conveyance Program Committee - Division 4. [18-0641](#)

Recommendation: Approve the revised Board Committee Appointments for the San Luis and Delta-Mendota Water Authority - Delta Habitat Conservation and Conveyance Program Committee - Division 4.

Manager: Michele King, 408-630-2711

- *3.12 Approval of Minutes. [18-0661](#)

Recommendation: Approve the minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 050818 Special Meeting](#)
[Attachment 2: 050818 Regular Meeting](#)
[Attachment 3: 052218 Regular Meeting](#)
[Attachment 4: 052318 Special Meeting](#)
[Attachment 5: 060818 Special Meeting](#)
[Attachment 6: 061218 Regular Meeting](#)
[Attachment 7: 062018 Special Closed Session Meeting](#)
[Attachment 8: 062618 Regular Meeting](#)
[*Attachment 8a: Handout, 060818 Special Meeting Comments](#)
[Attachment 9: 062718 Special Closed Session Meeting](#)
[Attachment 10: 062718 Special Meeting](#)
[Attachment 11: 070618 Special Meeting](#)
[*Attachment 12: 071018 Regular Meeting](#)

- *3.13 CEO Bulletins for the Weeks of July 6-12, July 13-19, July 20-26, July 27-August 2, and August 3-9 2018. [18-0662](#)

Recommendation: Accept the CEO Bulletins.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: 071218 CEO Bulletin](#)
[Attachment 2: 071918 CEO Bulletin](#)
[Attachment 3: 072618 CEO Bulletin](#)
[Attachment 4: 080218 CEO Bulletin](#)
[*Attachment 5: 080918 CEO Bulletin](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

4.1. Fiscal Year 2019 Board Policy Planning and Performance Monitoring Calendars. [18-0590](#)

Recommendation: Review and approve the Fiscal Year 2019 Board Policy Planning and Performance Monitoring Calendars.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: Draft FY19 Policy Planning Calendar](#)
[Attachment 2: Draft FY19 Performance Monitoring Calendar](#)

Est. Staff Time: 5 Minutes

4.2. Santa Clara Valley Water District Partnership Agreements with County of Santa Clara. [18-0645](#)

Recommendation:

- A. Adopt a JOINT RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA AND THE BOARD OF DIRECTORS OF THE SANTA CLARA VALLEY WATER DISTRICT APPROVING SHARED PRINCIPLES AS A FRAMEWORK FOR THE LAND USE RELATIONSHIP BETWEEN THE PARTIES;
- B. Approve a Memorandum of Agreement Regarding the Land Use Relationship with Santa Clara Valley Water District for a five-year term that may be extended for successive five-year terms with written approval by both parties;
- C. Approve and authorize the Chief Executive Officer (CEO) to execute the Master License Agreement By and Between the Santa Clara Valley Water District and the County of Santa Clara for Mutual Access to County of Santa Clara Parkland and Santa Clara Valley Water District for a five-year period with three renewal terms of five years subject to the written approval of both parties; and
- D. Approve the Master Partnership Agreement for Recreational Use of Certain District Lands, Reservoirs, and Recharge Ponds with the County of Santa Clara.

Manager: Rick Callender, 408-630-2017

Attachments: [Attachment 1: Joint Resolution](#)
[Attachment 2: Memorandum of Agreement](#)
[Attachment 3: Master License Agreement](#)
[Attachment 4: Master Partnership Agreement](#)

Est. Staff Time: 5 Minutes

4.3. Board Committee Reports.

[18-0647](#)

Attachments: [Attachment 1: 071618 EWRC Meeting](#)
[Attachment 2: 072518 Water Commission Meeting](#)

5. WATER UTILITY ENTERPRISE:

5.1. Update on California WaterFix and Authorization to Execute the Agreement Between the Department of Water Resources and the Santa Clara Valley Water District for the Advance or Contribution of Money to the Department of Water Resources for Preconstruction Planning Costs of the California WaterFix, a Facility of the State Water Project.

[18-0412](#)

Recommendation: A. Receive an update on the California WaterFix; and
 B. Approve and authorize the Chief Executive Officer to execute the Agreement for the Advance or Contribution of Money to the Department of Water Resources for Preconstruction Planning Costs of the California WaterFix, a Facility of the State Water Project, between the Department of Water Resources and the District for preconstruction planning costs for the WaterFix for a District contribution of \$1,092,975.

Manager: Garth Hall, 408-630-2750

Attachments: [Attachment 1: Agreement](#)
 [Attachment 2: Agreement - Exhibit A](#)
 [Attachment 3: SCVWD Resolution 18-23, CEQA](#)
 [Attachment 4: SCVWD Resolution 18-24, WaterFix Participation](#)
 [Attachment 5: Notice of Determination](#)
 [Attachment 6: PowerPoint](#)

Est. Staff Time: 5 Minutes

5.2. Cannabis Cultivation and Water Charges (Responding to Board Member Request R-18-0011).

[18-0516](#)

Recommendation: Receive information on cannabis cultivation and water charges.

Manager: Garth Hall, 408-630-2750

Est. Staff Time: 5 Minutes

- 5.3. Audit Report of the Water Utility Enterprise Funds for the Fiscal Year Ended June 30, 2017. [18-0607](#)

Recommendation: Accept the Audit Report of the Water Utility Enterprise Funds for the Fiscal Year ended June 30, 2017.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: Audit Report](#)

Est. Staff Time: 5 Minutes

6. WATERSHEDS:

- *6.1 Report of Bids Received and Award of Construction Contract to Granite Rock Company in the sum of \$3,977,700.00, for Construction of the Uvas Creek Levee Rehabilitation Project Phase 1, Project No. 62084001, Task No. 5175, Contract No. C0643, (Gilroy) (District 1). [17-0859](#)

Recommendation:

- A. Ratify Addenda No. 1 and No. 2 to the Contract Documents for the Uvas Creek Levee Rehabilitation Project Phase 1;
- B. Award the Construction Contract to Granite Rock Company in the sum of \$3,977,700.00; and
- C. Approve a contingency sum of \$397,770.00 and authorize the Chief Executive Officer (CEO) or designee to approve individual change orders up to the designated amount.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Project Location Map](#)
[Attachment 2: Addendum No. 1](#)
[Attachment 3: Addendum No. 2](#)
[Attachment 4: Project Delivery Process Chart](#)

Est. Staff Time: 5 Minutes

7. EXTERNAL AFFAIRS:

8. CHIEF EXECUTIVE OFFICER:

- 8.1. CEO and Chiefs' Report.

9. ADMINISTRATION:

- 9.1. Resolution Adopting the Fiscal Year 2019 Emergency Operations Plan. [18-0513](#)

Recommendation: Adopt a Resolution ADOPTING THE FISCAL YEAR 2019 EMERGENCY OPERATIONS PLAN.

Manager: Tina Yoke, 408-630-2385

Attachments: [Attachment 1: Resolution](#)

Est. Staff Time: 5 Minutes

- *9.2. ITEM REMOVED FROM AGENDA - Sole Source Purchase of Geographic Information Systems Enterprise Agreement and Managed Cloud Services Agreement from Environmental Systems Research Institute for an Amount up to \$995,000 Over Three Years.

10. DISTRICT COUNSEL:

11. ADJOURN:

- 11.1. Board Member Reports/Announcements.
- 11.2. Proposed Future Board Member Agenda Items.
- 11.3. Clerk Review and Clarification of Board Requests.
- 11.4. Adjourn to Special 6:00 p.m. Joint Meeting with the Cities of Gilroy and Morgan Hill, on August 21, 2018, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.