



Santa Clara Valley Water District Board of Directors Meeting

Headquarters Building Boardroom

***AMENDED/APPENDED**
AMENDED 4:00 PM CLOSED SESSION & 6:00 P.M.
REGULAR MEETING
AGENDA

Tuesday, January 28, 2020
4:00 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.

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, January 28, 2020

4:00 PM

Headquarters Building Boardroom

1. CALL TO ORDER:

1.1. Roll Call.

2. TIME CERTAIN:

4:00 PM

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 APPOINTMENT
Title: Chief Executive Officer
Ref.: Government Code 54957(b)(1)

[20-0124](#)

6:00 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. Santa Clara Valley Water District Government Relations Program Update and Legislative Outlook. [20-0008](#)

- Recommendation:
- A. Receive information on the 2019 Santa Clara Valley Water District (Valley Water) government relations advocacy and stakeholder engagement program; and
 - B. Provide input on current and future challenges, goals, and accomplishments since the last presentation to the Board of Directors.

Manager: Rachael Gibson, 408-630-2884

Attachments: [Attachment 1: 2020 Legislative Principles/Policy](#)
[Attachment 2: Key Legislation](#)
[Attachment 3: Community Events and Sponsorships](#)
[Attachment 4: PowerPoint](#)

Est. Staff Time: 10 Minutes

*2.7. Follow-up discussion of the Preliminary Fiscal Year (FY) 2020-21 Groundwater Production Charge Analysis (Continued from January 14, 2020). [20-0129](#)

Recommendation: Discuss and provide direction on the preliminary FY 2020-21 Groundwater Production Charge analysis prepared by staff.

Manager: Nina Hawk, 408-630-2736
Darin Taylor, 408-630-3068

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 10 Minutes

3. CONSENT CALENDAR: (3.1 - 3.4) (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 the Resolution Amending Resolution No. 19-05 to Amend the Easement Deed from Silicon Valley Club, LLC, for APN 015-45-013 and 015-45-24, File No. 3015-684 (San Jose) (District 3) (Continued from January 14, 2020). [20-0117](#)

Recommendation: A. Adopt the Resolution AMENDMENT TO RESOLUTION NO. 19-05 TO AMEND EXHIBIT A, THE EASEMENT DEED FROM Silicon Valley Club, LLC (APN 015-45-013 and 015-45-24, File No. 3015-684); and
B. Authorize the Chief Executive Officer (CEO) to accept the amended Easement Deed from Silicon Valley Club, LLC.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Conformed Copy, 012219 SCVWD Item 6.1](#)
[Attachment 2: Resolution](#)
[Attachment 3: Location Map](#)
[Attachment 4: Sec. of State Statement of Information \(LLC\)](#)

- 3.2. Deny Claim of Kiara Jones. [20-0036](#)

Recommendation: Deny the claim.

Manager: Stan Yamamoto, 408-630-2755

Attachments: [Attachment 1: Claim](#)

- 3.3. Deny Claim of Hooman Sotoodeh. [20-0038](#)

Recommendation: Deny the claim.

Manager: Stan Yamamoto, 408-630-2755

Attachments: [Attachment 1: Claim](#)

- *3.4. Accept the CEO Bulletins for the Weeks of January 10-16, and; January 17-23, 2020. [20-0121](#)

Recommendation: Accept the CEO Bulletins.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: 01162020 CEO Bulletin](#)
[*Attachment 2: 01232020 CEO Bulletin](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

*4.1. Review Fiscal Year 2020 Board Policy Planning and Performance Monitoring Calendars. [20-0148](#)

- Recommendation:
- A. Review, discuss, and revise the Fiscal Year 2020 Board Policy Planning and Performance Monitoring Calendars.
 - *B. Review survey questions, discuss and provide input and direction on preferred process for scheduling Board meetings to discuss agenda items that require lengthy board discussions, for scheduling closed sessions, and BAO evaluation frequencies.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: FY20 Board Calendars](#)
[*Original Agenda Memorandum](#)
[*Supplemental Agenda Memorandum](#)
[Supplemental Attachment 1 Survey Questions](#)

Est. Staff Time: 5 Minutes

4.2. Review Proposed Board Performance Framework (Continued from January 14, 2020). [20-0118](#)

Recommendation: Review and approve the proposed Board Performance Framework.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: Board Performance Framework](#)

Est. Staff Time: 5 Minutes

*4.3. Board Committee Reports.

[20-0122](#)

Standing Reports (Verbal Reports):

1. Delta Conveyance Design and Construction Authority (DCA) Update
2. Delta Conveyance Finance Authority (Finance Authority) Update

Board Committees (Summary or Meeting Agenda):

3. Board Audit Committee (BAC)
4. Board Policy and Planning Committee (BPPC)
5. Capital Improvement Program (CIP) Committee
6. Coyote Flood Risk Reduction (CFRR) Ad Hoc Committee
7. Diversity and Inclusion (D&I) Ad Hoc Committee
8. Fishery and Aquatic Habitat Collaborative Effort (FAHCE) Ad Hoc Committee
9. Homeless Encampment Ad Hoc Committee (HEAHC)
10. Recycled Water Committee (RWC)
11. Water Conservation and Demand Management (WCDM) Committee
12. Water Storage Exploratory Committee (WSEC)

Board Advisory Committees (Summary or Meeting Agenda):

13. Agricultural Water Advisory Committee (AWAC)
14. Environmental and Water Resources Committee (EWRC)
15. Santa Clara Valley Water Commission (Water Commission)
16. Youth Commission

Board Joint Committees (Summary or Meeting Agenda):

17. Joint Recycled Water Advisory Committee (JRWAC) (Sunnyvale)
18. Joint Recycled Water Advisory Committee (JRWAC) (East PA/PA/MV)
19. Joint Recycled Water Policy Advisory Committee (JRWPAC) (SJ/SC/TPAC)
20. Joint Water Resources Committee (JWRC) (Gilroy/Morgan Hill)
21. San Felipe Division Reach One

External Committees/Agencies (Verbal Report):

22. ACWA and ACWA Joint Powers Insurance Authority
23. Baylands Shoreline Steering Committee
24. California WaterReuse Association
25. Joint Venture Silicon Valley Board of Directors
26. Landscape Committee
27. Local Agency Formation Commission (LAFCO)
28. Northern California Latino Water Coalition
29. Pajaro River Watershed Flood Protection Authority
30. Redevelopment Dissolution Countywide Oversight Board of Santa Clara County
31. Safe, Clean Water Independent Monitoring Committee (IMC)
32. San Francisquito Creek JPA
33. Santa Clara County Water Retailers

- 34. Santa Clara Valley Habitat Conservation Plan JPA
- 35. San Luis and Delta-Mendota Water Authority Board and Delta Habitat Conservation & Conveyance Plan Steering Committee
- 36. Santa Clara County Emergency Operations Area Council
- 37. Santa Clara County Recycling and Waste Reduction Commission
- 38. Santa Clara County Special Districts Association
- 39. South County Regional Wastewater Authority (SCRWA)
- 40. Station Area Advisory Group (SAAG)
- 41. Zone 7, EBRPD, ACWD, SCVWD, LARPD and Tri-Valley Conservancy Liaison Committee

Attachments: [*Handout 4.3.1-A: 01162020 DCA Summary](#)
 [*Handout 4.3.2-A : 01162020 DCFA Summary](#)
 [*Handout 4.3.4-A: 01272020 BPPC Agenda](#)
 [*Handout 4.3.14-A: 01272020 EWRC Agenda](#)
 [*Handout 4.3.32-A: 01272020 SFCJPA Letter](#)

Est. Staff Time: 5 Minutes

- *4.4. Consider Agricultural Water Advisory Committee’s Recommendation and Associated Staff Analysis from the Committee’s Joint meeting with the Santa Clara County Farm Bureau on December 16, 2019. [20-0003](#)

Recommendation: Consider and act on the following recommendation by the Agricultural Water Advisory Committee:

That the Board of Directors endorse the Collaborative Team (Team), that is comprised of the Agricultural Water Advisory Committee (AWAC), The SCC Farm Bureau, SCC Open Space Authority, and other external stakeholders and interested agencies/parties, in its effort to explore alternative funding for water projects that ensure groundwater agricultural water rate stability through a measure patterned after Measure P, adopted by City of Mountain View voters in November 2018. The Committee will research Measure P and return to the Committee for further discussion.

Manager: Darin Taylor, 408-630-3068

Est. Staff Time: 5 Minutes

5. WATER UTILITY ENTERPRISE:

- 5.1. Update on the Condition of the Almaden Valley Pipeline and Determination that the Condition of the Almaden Valley Pipeline Continues to Constitute an Emergency (San Jose) (District 7). [20-0103](#)

Recommendation: A. Receive an update on the Almaden Valley Pipeline; and
 B. Determine by a four-fifths vote of the Board that there is a need to continue the emergency action declared by the Chief Executive Officer (CEO) on December 23, 2019, pursuant to California Public Contract Code §22050, to repair the Almaden Valley Pipeline.

Manager: Aaron Baker, 408-630-2135

Attachments: [Attachment 1: Declaration of Emergency](#)

Est. Staff Time: 5 Minutes

*5.2 MOVED TO ITEM 6.3.

6. **WATERSHEDS:**

- 6.1. Update on the Palo Alto Flood Basin Tide Gate Structure Improvements Project, Project No. 10394001 (Palo Alto, District 7). [19-0953](#)

Recommendation: Receive an Update on the Palo Alto Flood Basin Tide Gate Structure Improvements Project.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Map](#)
[Attachment 2: Alternative B Construction Staging](#)
[Attachment 3: Alternative C Construction Staging](#)
[Attachment 4: Feasible Alternatives Matrix](#)
[Attachment 5: PowerPoint](#)

Est. Staff Time: 15 Minutes

- 6.2. Authorize the Chief Executive Officer to Negotiate and Execute the Agreement with Horizon Water and Environment, LLC., for Environmental Planning and Permitting Services for the Anderson Dam Seismic Retrofit Project, Project No. 91864005, for an amount not-to-exceed \$4,500,000 (Morgan Hill) (District 1). [20-0102](#)

Recommendation: Authorize the Chief Executive Officer to negotiate and execute an Agreement with Horizon Water and Environment, LLC., for Environmental Planning and Permitting Services for the Anderson Dam Seismic Retrofit Project for an amount not-to-exceed \$4,500,000.

Manager: Chris Hakes, 408-630-3796

Est. Staff Time: 5 Minutes

- *6.3. Authorize the Chief Executive Officer to Negotiate and Execute a Single Source Consultant Services Agreement with Stantec Consulting Services, Inc. for a not-to-exceed amount of \$397,753 for services related to Pursuing Outside Funding Sources in support of the Pacheco Reservoir Expansion Project, Project No. 91954002. (PREVIOUSLY LISTED AS ITEM 5.2) [20-0128](#)

Recommendation: Authorize the Chief Executive Officer to negotiate and execute a single source consultant services agreement (Agreement) with Stantec Consulting Services, Inc. for a not-to-exceed amount of \$397,753 to provide services related to pursuing a Water Infrastructure Finance and Innovation Act (WIFIA) loan and investigating other potential funding sources for the Pacheco Reservoir Expansion Project that does not substantially differ from the agreement attached to this memorandum.

Manager: Christopher Hakes, 408-630-3796

Attachments: [Attachment 1: Draft Agreement](#)

Est. Staff Time: 5 Minutes

7. EXTERNAL AFFAIRS:

- *7.1. Receive a Brief Program Update and Approve Budget Adjustment in the Amount of \$773,200 to the Fiscal Year 2020 Budget of the Safe Clean Water Renewal Project, Project No. 62061049. [20-0149](#)

Recommendation:

- A. Receive brief update on new program development for a potential future funding measure; and
- B. Approve a budget adjustment in the amount of \$773,200 to the Fiscal Year 2020 Budget of the Safe Clean Water Renewal Project; and
- *C. Receive information on general taxes versus special taxes following the Board request for information at the December 10, 2019 Board meeting.

Manager: Marta Lugo, 408-630-2237

Attachments: [*Original Agenda Memorandum](#)
[*Supplemental Agenda Memorandum](#)

Est. Staff Time: 5 Minutes

8. CHIEF EXECUTIVE OFFICER:

- *8.1. CEO and Chiefs' Report. [20-0178](#)

ATTACHMENTS:

- *Handout 8.1-A: Legislative Update
- *Handout 8.1-B: Storm Report
- *Handout 8.1-C: Cal OES Coronavirus Update

Attachments: [*Handout 8.1-A: Legislative Update](#)
[*Handout 8.1-B: Storm Report](#)
[Handout 8.1-C: Cal OES Coronavirus Update](#)

9. ADMINISTRATION:

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 Regular Meeting at 1:00 p.m., on February 11, 2020, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.