



Santa Clara Valley Water District Board of Directors Meeting

District Headquarters Board Room
5700 Almaden Expressway
San Jose, CA 95050

***AMENDED/APPENDED AGENDA**

**Tuesday, May 10, 2016
5:00 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

Barbara Keegan, Chair - District 2
John L. Varela, Vice Chair - District 1
Richard P. Santos - District 3
Linda J. LeZotte - District 4
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
Interim Chief Executive Officer

MICHELE L. KING, CMC
Clerk of the Board
(408) 265-2600
Fax (408) 266-0271
www.valleywater.org
5750 Almaden Expressway
San Jose, CA 95118-3686

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
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Tuesday, May 10, 2016

5:00 PM

District Headquarters Board Room

1. CALL TO ORDER:

1.1. Roll Call.

2. TIME CERTAIN:

5:00 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 [16-0285](#)
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957(b)(1)
Title: Clerk of the Board, CEO and District Counsel

2.2. District Counsel Report.

6:00 PM

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. Presentation of 2015 Board Committee Accomplishments Reports by 2015 Board Committee Chairs. [16-0283](#)

Recommendation: Receive the 2015 Accomplishments Reports as presented by the 2015 Board Committee Chairs.

Manager: Michele King, 408 630-2711

Attachments: [Attachment 1: 2015 AWAC Accomplishments](#)
[Attachment 2: 2015 EWRC Accomplishments](#)
[Attachment 3: 2015 Water Commission Accomplishments](#)

Estimated Time: 20 Minutes

2.7. Public Hearing on the Annual Report Recommending Flood Control Benefit Assessments and Resolution Setting Benefit Assessment Revenue for Fiscal Year 2016-2017. [16-0198](#)

Recommendation: A. Open the annual public hearing to consider any comments regarding the flood control benefit assessments for Fiscal Year 2016-2017 (FY 2016-17);
B. Close the Public Hearing; and
C. Adopt the Resolution ESTABLISHING LAND USE CATEGORIES, CONFIRMING A LEVY OF BENEFIT ASSESSMENTS TO MEET DULY AUTHORIZED DEBT OBLIGATIONS FOR FY 2016-2017 IN FLOOD CONTROL ZONES OF SANTA CLARA VALLEY WATER DISTRICT, IN ACCORDANCE WITH RESOLUTION NOS. 86-54, 86-55, 86-56, 86-57, AND 90-7, AND AUTHORIZING A PROCEDURE FOR CORRECTING ASSESSMENTS.

Manager: Melanie Richardson, 408-630-2035

Attachments: [Attachment 1: Staff Report](#)
[Attachment 2: Resolution](#)
[Attachment 3: Benefit Assessment Report](#)

Estimated Time: 10 Minutes

2.8. Public Hearing and Approval of the District's Fiscal Years (FY) [16-0292](#)
2017-2021 Five-Year Capital Improvement Program (CIP).

- Recommendation:
- A. Conduct continued public hearing on the District's FY 2017-21 Five-Year CIP;
 - B. Close the public hearing; and
 - C. Adopt a Resolution APPROVING FISCAL YEARS 2017-2021 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM.

Manager: Katherine Oven, 408-630-3126

Attachments: [Attachment 1: Resolution](#)
[Attachment 2: FY2017-21 CIP](#)
[Attachment 3: PowerPoint](#)
[Attachment 4: Letters of Support from cities/County](#)

Estimated Time: 10 Minutes

*2.9. Adoption of Groundwater Production and Other Water Charges for [16-0266](#)
Fiscal Year 2016-2017.

- Recommendation:
- A. Consider additional information provided by staff;
 - B. Adopt a Resolution DETERMINING GROUNDWATER PRODUCTION CHARGES FOR FISCAL YEAR 2016-17; and
 - C. Adopt a Resolution DETERMINING RAW AND TREATED SURFACE WATER CHARGES FOR FISCAL YEAR 2016-17.

Manager: Jim Fiedler, 408-630-2736

Attachments: [Attachment 1: Resolution, Groundwater Production](#)
[Attachment 2: Resolution, Raw and Treated Surface Water](#)
[*Supplemental Agenda Memo](#)

Estimated Time: 10 Minutes

- *2.1 Approval of the Fiscal Year 2016-17 Operating and Capital Budget and [16-0286](#)
0. Levy of Ad-valorem Property Taxes.

Recommendation:

- A. Discuss and adopt a Resolution (to be provided by Supplemental Agenda Memo) APPROVING AND ADOPTING THE OPERATING AND CAPITAL BUDGET FOR FISCAL YEAR 2016-17;
- B. Discuss and adopt a Resolution PROVIDING FOR LEVY OF AD VALOREM REAL PROPERTY TAXES IN FISCAL YEAR 2016-17 TO MEET THE COST OF ITS WATER SUPPLY CONTRACT WITH THE STATE OF CALIFORNIA; and
- *C. Review FY 2016-17 Request for Additional Information Regarding Proposed Staffing Increase as Requested by the Board of Directors at the April 27, 2016, Hearing.

Manager: Najon Chu, 408-630-2208

Attachments: [Attachment 1: Resolution Ad Valorem Real Property Taxes](#)
[*Original Board Agenda Memo](#)
[*Supplemental Board Agenda Memo](#)
[*Supplemental Attachment 1: Resolution FY16-17 Budget](#)
[*Supplemental Attachment 2: Powerpoint](#)
[*Handout 2.10-A: Barrigan-Parilla](#)

Estimated Time: 10 Minutes

2.11. Safe, Clean Water and Natural Flood Protection Special Tax Summary Report and Resolution Providing for Levy of the Special Tax Rates and Authorizing a Procedure for Correcting Special Tax Amounts for Fiscal Year 2016-2017 (FY 2016-17).

[16-0200](#)

- Recommendation:
- A. Accept the FY 2016-17 Safe, Clean Water and Natural Flood Protection Special Tax Summary Report; and
 - B. Adopt the Resolution PROVIDING FOR LEVY OF THE SPECIAL TAX PURSUANT TO THE SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION MEASURE IN THE COMBINED FLOOD CONTROL ZONE OF THE SANTA CLARA VALLEY WATER DISTRICT AND AUTHORIZING A PROCEDURE FOR CORRECTING SPECIAL TAX AMOUNTS FOR FISCAL YEAR 2016-2017.

Manager: Melanie Richardson, 408-630-2035

Attachments: [Attachment 1: Staff Report](#)
[Attachment 2: Resolution](#)
[Attachment 3: Summary of Key Performance Indicators](#)

Estimated Time: 10 Minutes

3. CONSENT CALENDAR: (3.1 - 3.11) (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 item delegated to the Board Appointed Officers (BAOs) yet required by law or contract to be Board approved (EL-7.10); and CEO monitoring reports that do not reflect policy violations or call for debate of policy criteria (GP 4.5). 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. Exchange of Real Property Rights with Silver Creek Valley for the Heritage Oaks Memorial Park at Calero Reservoir within City of San Jose (APN: 712-10-027 and 712-03-103).

[16-0091](#)

- Recommendation:
- A. Consider the Final Environmental Impact Report for the Heritage Oaks Memorial Park Project prepared by the City of San Jose as the Lead Agency;
 - B. Adopt a Resolution MAKING RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR APPROVAL OF THE USE OF THE CITY OF SAN JOSE'S ENVIRONMENTAL IMPACT REPORT: HERITAGE OAKS MEMORIAL PARK TO AUTHORIZE A PROPERTY EXCHANGE WITH SILVER CREEK VALLEY;
 - C. Adopt a Resolution TO EXCHANGE REAL PROPERTY RIGHTS WITH SILVER CREEK VALLEY FOR THE HERITAGE OAKS MEMORIAL PARK;
 - D. Authorize the Interim CEO to execute Roadway Access Easement 9187-6.4 to Silver Creek Valley;
 - E. Authorize the Interim CEO to execute the Roadway Construction Agreement;
 - F. Authorize the Interim CEO to accept the Grant Deed 9232-51 from Silver Creek Valley;
 - G. Authorize the Interim CEO to execute the Assignment and Assumption of Apportioned Lease; and
 - H. Authorize the Interim CEO to accept Quitclaim Deed 9187-6.4 from Silver Creek Valley.

Manager: Liang Lee, 408-630-2927

Attachments: [Attachment 1: Heritage Oaks Memorial Park DEIR](#)
[Attachment 2: Heritage Oaks Memorial Park FEIR](#)
[Attachment 3: Resolution Making Responsible Agency Findings](#)
[Attachment 4: Heritage MOU](#)
[Attachment 5: Grant of Option Agreement](#)
[Attachment 6: Resolution to Exchange Real Property](#)

- 3.2. Resolution Proclaiming May 15-21, 2016 as National Public Works Week.

[16-0195](#)

Recommendation: Adopt a Resolution PROCLAIMING MAY 15-21, 2016 AS NATIONAL PUBLIC WORKS WEEK.

Manager: Katherine Oven, 408-630-3126

Attachments: [Attachment 1: Resolution](#)
[Attachment 2: APWA Poster, 2016 Public Works Week](#)

- 3.3. Resolution Delegating Authority to Deposit and Invest Funds to the Treasurer or His or Her Designee. [16-0213](#)

Recommendation: A. Adopt the Resolution DELEGATING BOARD'S AUTHORITY TO DEPOSIT AND INVEST FUNDS TO THE TREASURER OR HIS OR HER DESIGNEE; and
 B. Approve the Board Investment Policy for Fiscal Year 2016-17.

Manager: Najon Chu, 408-630-2208

Attachments: [Attachment 1: Resolution](#)
 [Attachment 2: Investment Policy](#)

- 3.4. Resolution Regarding Intention to Issue Tax-Exempt Obligations for Safe, Clean Water Program. [16-0215](#)

Recommendation: Adopt the Resolution REGARDING INTENTION TO ISSUE TAX-EXEMPT OBLIGATIONS.

Manager: Najon Chu, 408-630-2208

Attachments: [Attachment 1: Resolution](#)

- 3.5. Resolutions Authorizing the Execution and Delivery of a Tax-Exempt Tax and Revenue Anticipation Note (TRAN) and a Taxable TRAN to Support a Commercial Paper Program in a Combined Aggregate Principal Amount not to Exceed \$225 Million, and Intention to Issue Tax-Exempt Obligations. [16-0223](#)

Recommendation:

- A. Adopt the Resolution AUTHORIZING THE EXECUTION AND DELIVERY OF A TAX-EXEMPT TAX AND REVENUE ANTICIPATION NOTE AND A TAXABLE TAX AND REVENUE ANTICIPATION NOTE (TRANS) TO SUPPORT A COMMERCIAL PAPER PROGRAM IN A COMBINED AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$225 MILLION;
- B. Authorize the Interim Chief Executive Officer, the Chief Administrative Officer, or Chief Financial Officer to execute the Form of the TRANS, and the Certificate as to Uncollected Taxes, Income, Revenue, Cash Receipts and Other Money;
- C. Authorize the Interim Chief Executive Officer, District Counsel, and such other chief executives of the District to execute such other instruments, documents and papers as are necessary to carry out this Commercial Paper Program for Fiscal Year 2016-17;
- D. Authorize the District Counsel to execute the Form of the TRANS; and
- E. Adopt the Resolution REGARDING INTENTION TO ISSUE TAX-EXEMPT OBLIGATIONS.

Manager: Najon Chu, 408-630-2208

Attachments: [Attachment 1: Resolution Authorizing TRANS](#)
[Attachment 2: Resolution on Intent to Issue](#)

- 3.6. Resolution Recognizing May as Asian-Pacific American Heritage Month. [16-0231](#)

Recommendation: Adopt the Resolution RECOGNIZING MAY AS ASIAN-PACIFIC AMERICAN HERITAGE MONTH.

Manager: Liang Lee, 408-630-2927

Attachments: [Attachment 1: Resolution](#)

- 3.7. Adopt Plans and Specifications and Authorize Advertisement for Bids for Construction of the Lower Silver Creek (LSC) Flood Protection and Creek Restoration Project at Dobern Bridge Crossing, No. 40264008, Reach 4, Contract No. C0618 (San Jose). [16-0233](#)

Recommendation: A. Adopt the plans and specifications and authorize advertisement for bids for the construction of the LSC Flood Protection and Creek Restoration Project at Dobern Bridge Crossing (Project) per the Notice to Bidders, Project No. 40264008, Reach 4; and
B. Authorize the Designated Engineer to issue addenda, as necessary, during bidding.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Notice to Bidders](#)
[Attachment 2: Project Location Map](#)
[Attachment 3: Chart](#)

- 3.8. Resolution to Set a Public Hearing on the Engineer's Report for the Boardroom Technology Upgrade, Project No. 73274010 (San Jose). [16-0269](#)

Recommendation: Adopt the Resolution PROVIDING FOR THE NOTICE OF TIME AND PLACE OF PUBLIC HEARING ON THE ENGINEER'S REPORT for the BOARDROOM TECHNOLOGY UPGRADE PROJECT to occur on May 24, 2016, at 6:00 p.m., at the Santa Clara Valley Water District Boardroom, at 5700 Almaden Expressway, San Jose, California.

Manager: Sudhanshu Tikekar, 408-630-2424

Attachments: [Attachment 1: Engineer's Report](#)
[Attachment 2: Public Hearing Notice](#)
[Attachment 3: Resolution](#)
[Attachment 4: Project Delivery Process Chart](#)
[*Handout 3.8-A: P. Goeltz](#)

- *3.9. *CEO Bulletin for the Weeks of April 22 - 28, and April 29 - May 5, 2016. [16-0287](#)

Recommendation: Accept the CEO Bulletin.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: 042216 CEO Bulletin](#)
[*Attachment 2: 050516 CEO Bulletin](#)

*3.10 *ITEM REMOVED FROM AGENDA.

*3.1 Approval of Minutes.

[16-0297](#)

1

Recommendation: Approve the minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 041216 Regular Meeting Minutes](#)
[Attachment 2: 041416 Special Meeting Minutes](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS: NONE.

5. WATER UTILITY ENTERPRISE:

5.1. Amendment No. 2 to Agreement No. A3654A with Carollo Engineers for Construction Phase Engineering Services for the Penitencia Delivery Main and Penitencia Force Main Seismic Retrofit Project, for a not-to-exceed fee of \$2,007,162 - Project Nos. 94384002 and 92224001 (San Jose).

[16-0156](#)

Recommendation: Approve Amendment No. 2 to Agreement No. A3654A with Carollo Engineers for Construction Phase Engineering Services for the Project, for a not-to-exceed fee of \$2,007,162 and extend the Agreement term.

Manager: Katherine Oven, 408-630-3126

Attachments: [Attachment 1: Amendment No. 2](#)
[Attachment 2: Summary of Tasks and Fees](#)

Estimated Time: 5 Minutes

6. WATERSHEDS:

- 6.1. Report of Bids Received, Award of Construction Contract to Granite Construction Company, and Budget Adjustment of \$3,800,000 for the Canoas Creek Rodent Damage Repair Project, Project No. 30114002, Contract No. C0612 (San Jose). [16-0272](#)

Recommendation:

- A. Approve Budget Adjustment in the amount of \$3,800,000;
- B. Ratify Addendum No. 1 and Addendum No. 2 to the Contract Documents for the Canoas Creek Rodent Damage Repair Project (Project);
- C. Waive Minor Irregularities in Granite Construction Company's Bid;
- D. Award the Contract to Granite Construction Company in Santa Clara, California, in the sum of \$5,448,300; and
- E. Approve Contingency in the sum of \$544,830 and authorize the Interim Chief Executive Officer (CEO) or designee to approve individual change orders up to the designated amount.

Manager: Melanie Richardson, 408-630-2035

Attachments: [Attachment 1: Addendum Nos. 1 and 2](#)
[Attachment 2: Project Delivery Process Chart](#)

Estimated Time: 10 Minutes

7. CHIEF EXECUTIVE OFFICER:

- 7.1. Chief Executive Officer Report.

8. ADMINISTRATION:

- 8.1. Information Systems Master Plan (ISMP) Update 2016. [16-0225](#)

Recommendation: Receive an update on ISMP.

Manager: Sudhanshu Tikekar, 408-630-2424

Attachments: [Attachment 1: PowerPoint](#)

Estimated Time: 10 Minutes

9. DISTRICT COUNSEL: NONE.

10. ADJOURN:

- 10.1. Board Member Reports/Announcements.
- 10.2. Clerk Review and Clarification of Board Requests.

- 10.3. Adjourn to the Regular Meeting at 6:00 p.m., on May 24, 2016, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.