



Santa Clara Valley Water District Board of Directors Meeting

District Headquarters Board Room
5700 Almaden Expressway
San Jose, CA 95118

***AMENDED/APPENDED AGENDA**

**Tuesday, May 23, 2017
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

John L. Varela, Chair - District 1
Richard Santos, Vice Chair - District 3
Barbara Keegan - District 2
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

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**

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

Tuesday, May 23, 2017

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

[17-0326](#)

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6(a)

Agency Designated Representatives: Norma Camacho, Susan Stanton,
Anil Comelo, Michael Baratz, and Laura Harbert

Employee Organizations: Employees Association, Engineers Society,
Professional Managers Association

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.

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 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 Plans and Specifications and Authorize Advertisement for Bids for Construction of the El Camino Storm Drain Erosion Repair Project, Facility ID No. 2037, Contract No. C0626, (Santa Clara) (District 5). [17-0152](#)

- Recommendation:
- A. Adopt Plans and Specifications and Authorize Advertisement for Bids for Construction of the El Camino Storm Drain Erosion Repair Project (Project) per the Notice to Bidders; and
 - B. Authorize the Designated Engineer to issue addenda, as necessary, during the bidding process.

Manager: Ngoc Nguyen, 408-630-2632

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

- 3.2. Adopt Plans and Specifications and Authorize Advertisement for Bids for Construction of the Palo Alto Flood Basin Tide Gate Structure Improvements Project, Project No. 10394001, Contract No. C0630 (Palo Alto) (District 5). [17-0293](#)

Recommendation: A. Adopt the plans and specifications and authorize advertisement for bids for the Palo Alto Flood Basin Tide Gate Structure Improvement Project (Project) per the Notice to Bidders; and
B. Authorize the Designated Engineer to issue addenda, as necessary, during bidding.

Manager: Ngoc Nguyen, 408-630-2035

Attachments: [Attachment 1: Notice to Bidders](#)
[Attachment 2: Palo Alto Flood Basin Project Map](#)

- 3.3. Claim of Pedro Velazquez. [17-0216](#)

Recommendation: Deny the Claim.

Manager: Stan Yamamoto, 408-630-2755

Attachments: [Attachment 1: Claim](#)

- 3.4. Claim of Willow Glen Apartments. [17-0264](#)

Recommendation: Deny the Claim.

Attachments: [Attachment 1: Claim](#)

- 3.5. Resolution Providing for the Notice of Time and Place of Public Hearing on the Engineer's Report for the Main Avenue and Madrone Pipeline Restoration Project, Project No. 26564001 (Morgan Hill) (District 1). [17-0228](#)

Recommendation: Adopt the Resolution PROVIDING FOR THE NOTICE OF TIME AND PLACE OF PUBLIC HEARING ON THE ENGINEER'S REPORT FOR THE MAIN AVENUE AND MADRONE PIPELINE RESTORATION PROJECT to occur on June 13, 2017 at 1:00 PM at the Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose, California.

Manager: Christopher Hakes, 408-630-3796

Attachments: [Attachment 1: Resolution](#)
[Attachment 2: Engineers Report](#)
[Attachment 3: Public Hearing Notice](#)

- 3.6. Providing Notice of Time and Place of Public Hearing Regarding the Proposed Modification to the Coyote Creek Flood Protection Project of the Safe, Clean Water and Natural Flood Protection Program. [17-0283](#)

Recommendation: Set a time and place for the public hearing on the Proposed Modification to the Coyote Creek Flood Protection Project (Coyote Creek Project) of the Safe, Clean Water and Natural Flood Protection Program, at 1:00 p.m. on June 13, 2017, at the Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose, California.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Resolution No. 12-62](#)
[Attachment 2: Public Hearing Notice](#)

- *3.7. Notice of Completion of Contract and Acceptance of Work for the Lower Silver Creek Flood Protection and Creek Restoration Project, Reaches 4-5B (Plant Establishment Maintenance Phase), R&L Brosamer, Inc., Contractor, Project No. 40264008, Contract No. C0564 (San Jose) (District 6). [17-0245](#)

Recommendation: A. Accept the work 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 Completion/Acceptance Work](#)
[Attachment 2: Recommendation of Contract](#)
[Attachment 3: Project Completion Letter](#)
[Attachment 4: PowerPoint](#)
[*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 at the Dobern Bridge Crossing (Construction Phase - Stage 1), Gordon N. Ball, Inc., Contractor, Project No. 40264008, Contract No. C0618 (San Jose) (District 6). [17-0269](#)

Recommendation: A. Accept the work 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 of Contract and Acceptance of](#)
[Attachment 2: Recommendation of Contract](#)
[Attachment 3: Project Completion Letter](#)
[Attachment 4: PowerPoint](#)
[Attachment 5: Project Delivery Process Chart](#)

- 3.9. Resolution Recognizing June as Lesbian, Gay, Bisexual, and Transgender (LGBT) Pride Month. [17-0294](#)

Recommendation: Adopt the Resolution RECOGNIZING JUNE AS LGBT PRIDE MONTH.

Manager: Joseph Aranda, 408-630-2326

Attachments: [Attachment 1: Resolution](#)

- 3.10. Relocation Plan for Upper Llagas Creek Flood Protection Project, Project 26174051 (Morgan Hill) (District 1). [17-0128](#)

Recommendation: Approve the Relocation Plan for the Upper Llagas Creek Flood Protection Project.

Manager: Katherine Oven, 408-630-3126

Attachments: [Attachment 1: Relocation Plan](#)
[Attachment 2: Location Map](#)

- *3.1 CEO Bulletins for the Week of May 5-11, and May 12-18, 2017. [17-0337](#)
1.

Recommendation: Accept the CEO Bulletins.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: 051117 CEO Bulletin](#)
[*Attachment 2: 051817 CEO Bulletin](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

- 4.1. Fiscal Year 2017 Board Policy Planning and Performance Monitoring Calendar. [16-0434](#)

Recommendation: Review and revise the Fiscal Year 2016 Board Policy Planning and Performance Monitoring Calendar.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: Calendars](#)

Est. Staff Time: 5 Minutes

- 4.2. Standard On-Call Consultant Agreement with TAP International, Inc. (TAP International) for Board Independent Auditing Services. [17-0221](#)

Recommendation: Approve the Standard On-Call Consultant Agreement with TAP International, Inc. for Board independent auditing services at a not-to-exceed amount of \$405,000.

Manager: Norma Camacho, 408-630-2084

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

Est. Staff Time: 5 Minutes

- 4.3. Board Committee Reports.

Board Committee Report. [17-0349](#)

Attachments: [Board Policy & Planning Committee](#)
[Water Conservation & Demand Management Committee](#)
[Capital Improvement Program Committee](#)

5. WATER UTILITY ENTERPRISE:

*5.1. San Luis & Delta-Mendota Water Authority June 8, 2017 Board Meeting.

[17-0344](#)

- Recommendation:
- A. Receive and Discuss Information for the Upcoming San Luis & Delta-Mendota Water Authority (Authority Board Meeting),
 - B. *Continue position of “Oppose” on AB 1427 (Eggman) Water; Underground Storage, unless the bill is amended by the June 8th or a subsequent Authority Board meeting, to protect the availability of water to the District; and
 - C. *Adopt a position of “Abstain” on AB 1667 (Friedman) Agricultural Water Management Planning, as the bill is outside the District’s 2017 legislative priorities.

Manager: Garth Hall, 408-630-2750

Attachments: [*Supplemental Agenda Memo](#)

6. WATERSHEDS:

*6.1. Report of Bids Received and Award of Construction Contract to Robert A. Bothman Construction for Construction of Permanente Creek Flood Protection Project - Permanente Creek Channel Improvements, Project No. 26244001, Contract No. C0616 (Mountain View, Los Altos) (District 5).

[17-0280](#)

- Recommendation:
- A. Consider the Third Addendum to the Final Subsequent Environmental Impact Report (Final Subsequent EIR) for the Permanente Creek Flood Protection Project;
 - B. Ratify Addenda No. 1 through No. 3 to the Contract Documents for the Permanente Creek Flood Protection Project - Permanente Creek Channel Improvements Project;
 - C. Award the Construction Contract to Robert A. Bothman Construction in the sum of \$7,027,917; and
 - D. Approve a contingency sum of \$700,000 and authorize the Interim Chief Executive Officer or designee to approve individual change orders up to the designated amount.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Permanente Creek Project Map](#)
[Attachment 2: Addenda 1 through 3](#)
[Attachment 3: Project Delivery Process](#)
[Supplemental Agenda Memo](#)
[Supplemental Attachment](#)

Est. Staff Time: 5 Minutes

EXTERNAL AFFAIRS:

- 7.1. Recommended Position on State Legislation: AB 1587 (Levine) Invasive Species: Dreissenid Mussels, AB 1608 (Kalra) Vibrant Landscapes for Climate, People, and Multiple Benefits, SB 424 (Allen) The California Regional Environmental Education Community Network, SB 740 (Wiener) Onsite Water Reuse, and other Legislation Which May Require Urgent Consideration for a Position by the Board. [16-0555](#)

- Recommendation: A. Adopt a position of "Support" on: AB 1587 (Levine) Invasive Species: Dreissenid Mussels.
- B. Adopt a position of "Support" on AB 1608 (Kalra) Vibrant Landscapes for Climate, People, and Multiple Benefits.
- C. Adopt a position of "Support" on: SB 424 (Allen) The California Regional Environmental Education Community Network.
- D. Adopt a position of "Support" on: SB 740 (Wiener) Onsite Water Reuse.

Manager: Rick Callender, 408-630-2017

Est. Staff Time: 5 Minutes

- 7.2. Recommended Positions on Federal Legislation: S 731 (Feinstein) and HR 1738 (Garamendi)-Sacramento-San Joaquin Delta National Heritage Area Establishment Act. [16-0556](#)

Recommendation: Adopt a position of "Support" on S 731 (Feinstein) and HR 1738 (Garamendi)-Sacramento-San Joaquin Delta National Heritage Area Establishment Act.

Manager: Rick Callender, 408-630-2017

Est. Staff Time: 5 Minutes

8. CHIEF EXECUTIVE OFFICER:

- 8.1. Chief Executive Officer Report.

9. ADMINISTRATION: None.

10. DISTRICT COUNSEL:

11. ADJOURN:

- 11.1. Board Member Reports/Announcements.

- 11.2. Clerk Review and Clarification of Board Requests.

11.3. Adjourn to Special Meeting at 4:00 p.m., on May 25, 2017, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.