



## Santa Clara Valley Water District Board of Directors Meeting

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

### **\*AMENDED/APPENDED AGENDA**

**Tuesday, February 28, 2017  
5:00 PM**

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

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**District Mission: Provide Silicon Valley safe, clean water for a healthy life, environment and economy.**

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**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](http://www.valleywater.org)

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**Note: The finalized Board Agenda, exception items and supplemental items will be posted prior to the meeting in accordance with the Brown Act.**

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

## **\*AMENDED/APPENDED AGENDA**

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Tuesday, February 28, 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  
CONFERENCE WITH LEGAL COUNSEL  
Initiation of Litigation  
Pursuant to Government Code Section 54956.9(4)(d)  
One Potential Case

17-0099

6:00 PM

- \*2.2. District Counsel Report.
- \*2.3. Pledge of Allegiance/National Anthem. (Previously listed as 1.2)
- \*2.4. Orders of the Day. (Previously listed as 1.3)
  - 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. (Previously listed as 1.4)

*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. Chief Executive Officer and General Manager Search Update. [17-0112](#)  
(Previously listed as Item 2.1)

Recommendation: Receive Stakeholder and Community Input and Direct the Consultant as Appropriate.

Manager: Stan Yamamoto, 408-630-2755

Attachments: [Attachment 1: Position Justification](#)

[\\*Supplemental Agenda Memo](#)

[\\*Supplemental Attachment 1: PowerPoint](#)

Est. Staff Time: 20 Minutes

2.7. Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee's Third Annual Report for Fiscal Year 2015-2016. [17-0097](#)

Recommendation: A. Receive the Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee's Third Annual Report for Fiscal Year 2015-2016; and  
B. Provide direction to staff as appropriate.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: SCW IMC's Letter to the Board](#)

[Attachment 2: IMC Recommendations](#)

[Attachment 3: IMC FY16 Annual Report](#)

Est. Staff Time: 15 Minutes

**3. CONSENT CALENDAR: (3.1 - 3.3) (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 Permanente Creek Flood Protection Project - Permanente Creek Channel Improvements, Project No. 26244001, Contract No. C0625 (Mountain View, Los Altos) (District 5).

[16-0490](#)

Recommendation:

- A. Adopt the plans and specifications and authorize advertisement for bids for the construction of the Permanente Creek Flood Protection Project - Permanente Creek Channel Improvements (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: Map](#)

[Attachment 3: Project Delivery Process Chart](#)

3.2. Claim of Donald Bean.

[17-0036](#)

Recommendation: Deny the claim of Donald Bean.

Manager: Stan Yamamoto, 408-630-2755

Attachments: [Attachment 1: Claim](#)

\*3.3. CEO Bulletins for the Week of February 10-16, and 17-23, 2017.

[17-0111](#)

Recommendation: Accept the CEO Bulletins.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: 021617 CEO Bulletin](#)

[Attachment 2: 022317 CEO Bulletin](#)

**REGULAR AGENDA:**

**4. BOARD OF DIRECTORS:**

4.1. Board's Annual Self-Assessment of its Performance for 2016. [17-0011](#)

Recommendation: A. Conduct a Board self-assessment based on 2016 performance results; and  
B. Share 2016 Annual Board Performance Report broadly with stakeholders, such as, customers, Board Committees, community groups, and employees, among others.

Manager: Chris Elias, 408-630-2379

Attachments: [Attachment 1: 2016 Performance Report](#)  
[Attachment 2: 2016 Performance Measure](#)  
[Attachment 3: Board Comments](#)

Est. Staff Time: 5 Minutes

4.2. Fiscal Year 2017 Board Policy Planning and Performance Monitoring Calendar. [16-0431](#)

Recommendation: Review and revise the Fiscal Year 2017 Board Policy Planning and Performance Monitoring Calendar.

Manager: Michele King, 408-630-2711

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

Est. Staff Time: 5 Minutes

4.3. Board Committee Reports.

**5. WATER UTILITY ENTERPRISE:**

5.1. Amendment No. 2 to Agreement No. A3675A with GEI Consultants, Inc., for Planning and Environmental Consultant Services for a Not-To-Exceed Fee of \$1,316,011, Resulting in a Total Not-To-Exceed Fee of \$6,219,841, and Extend the Agreement Term for Calero and Guadalupe Dams Seismic Retrofits Project, Project No. 91084020 (San Jose) (District 1).

16-0810

Recommendation: Approve Amendment No. 2 to Agreement No. A3675A with GEI Consultants, Inc., for Planning and Environmental Consultant Services for Calero and Guadalupe Dams Seismic Retrofits Project, for a not-to-exceed fee of \$1,316,011, resulting in a total not-to-exceed fee of \$6,219,841, and extend the Agreement term.

Manager: Katherine Oven, 408-630-3126

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

[Attachment 2: Summary of Tasks and Fees](#)

Est. Staff Time: 5 Minutes

5.2. Budget Adjustment in the amount of \$750,000 to the Fiscal Year 2017 Anderson Dam Seismic Retrofit Project, Project No. 91864005; Amendment No. 6 to Consultant Agreement No. A3555A with Black & Veatch for Project Management Services for a not-to-exceed fee of \$7,539,795; and Amendment No. 3 to Consultant Agreement No. A3578A with HDR, Inc. for Planning/Environmental Services for a not-to-exceed fee of \$561,000 (Morgan Hill) (District 1).

17-0005

Recommendation:

- A. Approve a Budget Adjustment of \$750,000 from the Pacheco/Santa Clara Conduit Right of Way Acquisition Project (Project No. 92144001) to the Anderson Dam Seismic Retrofit Project (Project No. 91864005) to fund expenditures for Fiscal Year 2017 (FY17) Project budget;
- B. Approve Amendment No. 6 to Agreement No. A3555A with Black & Veatch Corporation for Project Management Services for a not-to-exceed fee of \$7,539,795, resulting in a total not-to-exceed fee of \$16,558,637, and retroactively extend the Agreement term; and
- C. Approve Amendment No. 3 to Agreement No. A3578A with HDR, Inc. for Planning/Environmental Services for a not-to-exceed fee of \$561,000, resulting in a total not-to-exceed fee of \$5,557,091, and retroactively extend the Agreement term.

Manager: Katherine Oven, 408-630-3162

Attachments: [Attachment 1 - Amendment No. 6](#)

[Attachment 2 - Amendment No. 3](#)

Est. Staff Time: 15 Minutes

\*5.3. Consultant Contract to Stantec Consulting Services, Inc. for Pacheco Reservoir Proposition 1 Application Study. [17-0110](#)

Recommendation:

- A. Discuss the outcomes of the February 23, 2017 meeting of the Pacheco Reservoir Exploratory Ad Hoc Committee with board members of San Benito County Water District and Pacheco Pass Water District; and
- B. Authorize the Interim CEO to execute a single source agreement for up to \$900,000 with Stantec Consulting Services, Inc. to prepare a Proposition 1 funding application for Pacheco Reservoir expansion.

Manager: Garth Hall, 408-630-2750

Attachments: [\\*Supplemental Board Agenda Memo](#)  
[\\*Supplemental Attachment 1: Draft Scope of Services](#)  
[\\*Supplemental Attachment 2: Draft Principles of Agreement](#)  
[\\*Supplemental Attachment 3: PowerPoint](#)

Est. Staff Time: 15 Minutes

## 6. WATERSHEDS:

6.1. Review and Authorize Distribution of the District's Draft Fiscal Years 2018-22 Capital Improvement Program (CIP). [16-0629](#)

Recommendation: Review the Draft Fiscal Years 2018-22 CIP and authorize release of the document to all cities in Santa Clara County (SCC) and the County of Santa Clara for review as to its consistency with their General Plans.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: FY2018-2022 DRAFT CIP](#)  
[Attachment 2: Planned Construction Program](#)

Est. Staff Time: 5 Minutes

## 7. CHIEF EXECUTIVE OFFICER:

7.1. Annual Diversity and Inclusion Program Report. [17-0066](#)

Recommendation: Receive information about programs, events and initiatives that support and develop a diverse and inclusive work environment at the District.

Manager: Susan Stanton, 408-630-2379

Attachments: [Attachment 1: D&I Master Plan, Goal 1](#)

[Attachment 2: D&I Master Plan, Goal 2](#)

[Attachment 3: D&I Master Plan 2015-2019](#)

[Attachment 4: PowerPoint](#)

Est. Staff Time: 15 Minutes

7.2. Recommended Position on Federal Legislation: HR 448 (Huffman) Water Conservation Rebate Tax Parity Act. [17-0078](#)

Recommendation: Adopt a position of “Support” on: HR 448 (Huffman) Water Conservation Rebate Tax Parity Act.

Manager: Rick Callender, 408-630-2017

Est. Staff Time: 5 Minutes

7.3. Chief Executive Officer Report.

**8. ADMINISTRATION:**

8.1. Reporting Structure of the Office of Ethics and Corporate Governance. [16-0858](#)

Recommendation: A. Receive the Ethics Office Evaluation Benchmarking Report (Ethics Report) and the summary of recommendations; and

B. Receive information regarding proposed changes to the Ethics Office structure.

Manager: Anil Comelo, 408-630-2470

Attachments: [Attachment 1: Org Chart](#)

[Attachment 2: Benchmark Report](#)

[Attachment 3: Ethics Case Flow Chart](#)

[Attachment 4: Recommendations/Determinations](#)

Est. Staff 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 12:00 p.m. Closed Session and 1:00 p.m. Regular Meeting, on March 14, 2017, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.