



## Santa Clara Valley Water District Board of Directors Meeting

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

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

**Tuesday, August 23, 2016  
6:00 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](http://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  
AGENDA**

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

---

Tuesday, August 23, 2016

6:00 PM

District Headquarters Board Room

---

**1. CALL TO ORDER:**

- 1.1. Roll Call.
- 1.2. Pledge of Allegiance/National Anthem.
- 1.3. Orders of the Day.
  - A. *Approximate Discussion Time (Board); and*
  - B. *Adjustments to the Order of Agenda Items.*
- 1.4. 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. TIME CERTAIN:**

- \*2.1. Santa Clara Valley Open Space Authority Presentation to the Water District on Potential Coordinated Preservation and Enhancement Activities (District 1). [16-0718](#)

Recommendation: Receive, review, and discuss information from the Santa Clara Valley Open Space Authority (OSA) regarding potential joint projects in the Coyote Valley area of Santa Clara County, and provide direction to staff as needed.

Manager: Liang Lee, 408-630-2927

Attachments: [Attachment 1: Supplemental Agenda Memo](#)  
[Supplemental Attachment 1: PowerPoint](#)  
[Supplemental Attachment 2: Summary Memo](#)  
[Supplemental Attachment 3: Technical Memo](#)

- 2.2. Presentation from City and County of San Francisco Staff Regarding the Bay Area-Wide Resilient by Design Project. [16-0612](#)

Recommendation: Receive Information on the Resilient by Design project, presented by City and County of San Francisco staff.

Manager: Liang Lee, 408-630-2927

Attachments: [Attachment 1: Design Challenge](#)

Estimated Time: 10 Minutes

### 6:00 PM

### 3. **CONSENT CALENDAR: (3.1 - 3.7) (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. Resolution Authorizing the Acquisition of a Grant Deed from, and Conveyance of a Quitclaim Deed to, Patrick V. Simpson and Mary Aileen Simpson, Trustees of the Simpson Living Trust, dated March 14, 2003 for the Upper Llagas Creek Flood Protection Project, Project No. 26174051 (Morgan Hill), (District 1). [16-0099](#)

Recommendation: Adopt the Resolution AUTHORIZING THE ACQUISITION OF A GRANT DEED FROM AND CONVEYANCE OF A QUITCLAIM DEED TO PATRICK V. SIMPSON AND MARY AILEEN SIMPSON FOR THE UPPER LLAGAS CREEK FLOOD PROTECTION PROJECT, PROJECT NO. 26174051 (MORGAN HILL), by unanimous vote, that does the following:

- A. Approves the Real Property Exchange Agreement for Real Estate File Nos. 5027-111 & 5027-100.1 and authorizes the Interim Chief Executive Officer to execute the Real Property Exchange Agreement;
- B. Authorizes the Interim Chief Executive Officer to execute the Certificate of Acceptance for Grant Deed 5027-111; and
- C. Authorizes the Interim Chief Executive Officer to execute the Quitclaim Deed 5027-100.1.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Resolution](#)  
[Attachment 2: Phase I HSLA](#)  
[Attachment 3: Notice of Determination](#)

- 3.2. Adopt Plans and Specifications and Authorize Advertisement for Bids for Construction of the John D. Morgan Park Monitoring Wells Project, Project No. 91304001, Contract No. C0620 (Campbell) (District 4). [16-0610](#)

Recommendation: A. Adopt the plans and specifications and authorize advertisement for bids for the construction of the John D. Morgan Park Monitoring Wells Project per the Notice to Bidders; and

B. Authorize the Designated Engineer to issue addenda, as necessary, during bidding.

Manager: Katherine Oven, 408-630-3126

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

- 3.3. Resolution Proclaiming September 2016 as National Preparedness Month. [16-0676](#)  
Recommendation: Adopt the Resolution, NATIONAL PREPAREDNESS MONTH, SEPTEMBER 2016.  
  
Manager: Liang Lee, 408-630-2927  
Attachments: [Attachment 1: Resolution](#)
- 3.4. 2015-2016 Santa Clara County Civil Grand Jury Final Report: "100-Year Flood Protection for Permanente Creek." [16-0418](#)  
Recommendation: Review and approve the response to the Santa Clara Civil Grand Jury Final Report: "100-Year Flood Protection for Permanente Creek."  
  
Manager: Jesús Nava, 408-630-2764  
Attachments: [Attachment 1: 100-Year Flood Protection Report](#)
- 3.5. Semi-Annual Lobbyist Activity Report for the Period January 1, 2016 through June 30, 2016. [16-0655](#)  
Recommendation: Receive the Semi-Annual Lobbyist Activity Report for the period January 1, 2016 through June 30, 2016.  
  
Manager: Michele King, 408-630-2711  
Attachments: [Attachment 1: Lobbyist Report](#)
- \*3.6. CEO Bulletins for the Week of August 5-11 and August 12-18, 2016. [16-0712](#)  
Recommendation: Accept the CEO Bulletins.  
  
Manager: Norma Camacho, 408-630-2084  
Attachments: [Attachment 1: 081116 CEO Bulletin](#)  
[Attachment 2: 081816 CEO Bulletin](#)
- \*3.7. Approval of Minutes. [16-0698](#)  
Recommendation: Approve the minutes.  
  
Manager: Michele King, 408-630-2711  
Attachments: [Attachment 1: 072616 Regular Meeting Minutes](#)

#### **REGULAR AGENDA:**

#### **4. BOARD OF DIRECTORS:**

- 4.1. Water Conservation Ad Hoc Committee's Request and Associated Staff Analysis from the Committee's July 13, 2016, Meeting. [16-0666](#)
- Recommendation: Consider approving the following Water Conservation Ad Hoc Committee request and staff's analysis:
- The Water Conservation Ad Hoc Committee requests to change its name to the Water Demand Management Committee and its status to a Standing Committee with a new purpose to "Support the Board of Directors in achieving its policy to provide a reliable water supply to meet current and future water usage by making policy recommendations related to demand management."
- Manager: Michele King, 408-630-2711
- Estimated Time: 10 Minutes
- 4.2. Membership Nomination for Committee Appointment to the Environmental and Water Resources Committee. [16-0644](#)
- Recommendation: Consider the membership appointment to the Environmental and Water Resources Committee (EWRC).
- Manager: Michele King, 408-630-2711
- Attachments: [Attachment 1: SCVWD Resolution No. 15-28](#)  
[Attachment 2: Committee Application](#)
- Estimated Time: 5 Minutes
- 4.3. Open Space Credit Policy Discussion. [16-0580](#)
- Recommendation: Consider information provided by staff and provide policy direction as necessary.
- Manager: Jim Fiedler, 408-630-2736
- Attachments: [Attachment 1: PowerPoint](#)
- Estimated Time: 10 Minutes
- 4.4. Fiscal Year 2017 Board Policy Planning and Performance Monitoring Calendar. [16-0425](#)
- Recommendation: Review and revise the Fiscal Year 2017 Board Policy Planning and Performance Monitoring Calendar.
- Manager: Michele King, 408-630-2711
- Attachments: [Attachment 1: FY17 Board Calendars](#)
- Estimated Time: 5 Minutes

4.5. Board Committee Reports.

**5. WATER UTILITY ENTERPRISE:**

5.1. Board Work Study Session: Dam Safety Program. [16-0474](#)

Recommendation: Receive, review, and discuss the information on the Dam Safety Program.

Manager: Debra Caldon, 408-630-3057

Attachments: [Attachment 1: Dam Safety Program Description](#)  
[Attachment 2: Description and Condition Assessment](#)  
[Attachment 3: PowerPoint](#)

Estimated Time: 10 Minutes

5.2. Amendment No. 3 to Agreement No. A1969, Master Reservoir Lease Agreement, with the County of Santa Clara, for Recreational Use of District Reservoirs, Project No. 95011003. [16-0667](#)

- Recommendation:
- A. Receive an update on public recreation at District reservoirs and other joint engagements of the District and the Parks Department of the County of Santa Clara;
  - B. Authorize the Interim Chief Executive Officer (CEO) to execute the Third Amendment to the Master Reservoir Lease to extend the expiration date of the existing Master Reservoir Lease between the District and the County of Santa Clara by two years; and
  - C. Receive and consider information regarding planned discussions with the County of Santa Clara to develop a potential memorandum of understanding to strengthen the relationship with the District in areas of mutual interest, including public recreation at District reservoirs, and provide direction as needed.

Manager: Garth Hall, 408-630-2750

Attachments: [Attachment 1: Master Lease and Amendments 1 and 2](#)  
[Attachment 2: Master Lease and Amendment 3](#)  
[Attachment 3: Discussion Paper](#)  
[Attachment 4: PowerPoint](#)

Estimated Time: 10 Minutes

**6. WATERSHEDS:**

- 6.1. Amendment No. 2 to Standard Consultant Agreement No. A3685A [16-0249](#)  
between the Santa Clara Valley Water District and Overland, Pacific & Cutler, Inc., to increase the agreement by \$318,500 for additional Real Estate Services for the Upper Llagas Creek Flood Protection Project, Project No. 26174051 (Morgan Hill) (District 1).

- Recommendation: A. Approve a budget adjustment from the Safe, Clean Water Operating and Capital Reserve for the sum of \$318,500 to fund expenditures for additional real estate services as described in Amendment No. 2 to Standard Consultant Agreement No. A3685A between the Santa Clara Valley Water District and Overland, Pacific & Cutler, Inc. for the Upper Llagas Creek Flood Protection Project; and
- B. Approve Amendment No. 2 to Standard Consultant Agreement No. A3685A between the Santa Clara Valley Water District and Overland, Pacific & Cutler, Inc. for the Upper Llagas Creek Flood Protection Project to provide additional real estate services for a new not-to-exceed fee of \$2,123,025.

Manager: Ngoc Nguyen, 408-630-2632

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

Estimated Time: 10 Minutes

## 7. CHIEF EXECUTIVE OFFICER:

- 7.1. Chief Executive Officer Report.

## 8. ADMINISTRATION:

- 8.1. Adopt Plans and Specifications and Authorize Advertisement for Bids [16-0411](#)  
for Construction of the Winfield Capital Improvement Project, Project No. 60204021, Contract No. C0619 (San Jose), (District 4).

- Recommendation: A. Adopt the plans and specifications and authorize advertisement for bids for construction of the Winfield Capital Improvement Project per the Notice to Bidders; and
- B. Authorize the Designated Engineer to issue addenda, as necessary, during bidding.

Manager: Katherine Oven, 408-630-3126

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



**9. DISTRICT COUNSEL:**

**10. ADJOURN:**

10.1. Board Member Reports/Announcements.

10.2. Clerk Review and Clarification of Board Requests.

10.3. Adjourn to Regular Meeting at 6:00 p.m., on September 13, 2016, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.