



Santa Clara Valley Water District Board of Directors Meeting

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

***AMENDED/APPENDED AGENDA**

**Tuesday, September 27, 2016
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

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, September 27, 2016

4:00 PM

District Headquarters Board Room

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

[16-0727](#)

CONFERENCE WITH LEGAL COUNSEL

Initiation of Litigation Pursuant to Government Code Section 54956.9(d)

(4)

One potential case

2.2. CLOSED SESSION

[16-0732](#)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957(b)(1)

Title: Clerk of the Board, CEO and District Counsel

2.3. District Counsel Report.

6:00 PM

2.4. Pledge of Allegiance/National Anthem.

2.5. Orders of the Day.

A. Approximate Discussion Time (Board); and

B. Adjustments to the Order of Agenda Items.

2.6. 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 - 3.8) (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 Conveyance of Real Property Interest Located at Harriet Avenue and San Tomas Creek to the City of Campbell (District 4).

[16-0332](#)

- Recommendation:
- A. Adopt the Resolution AUTHORIZING CONVEYANCE OF REAL PROPERTY INTEREST TO THE CITY OF CAMPBELL; and
 - B. Authorize the Interim Chief Executive Officer to execute the Quitclaim Deed 2019-101.2.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Resolution](#)

- 3.2. Resolution Recognizing the 26th Anniversary of the Americans with Disabilities Act and National Disability Employment Awareness Month. [16-0722](#)

Recommendation: Adopt the Resolution RECOGNIZING THE 26th ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT AND NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH.

Manager: Chris Elias, 408-630-2379

Attachments: [Attachment 1: Resolution](#)

- 3.3. Resolution Declaring Two Parcels Located at Maple Avenue, San Martin, California (District 1) (APN 825-18-052 and APN 825-18-007), one Parcel at Murphy Avenue, Morgan Hill, California (District 1) (APN 825-16-062), and one Parcel at 110 Sunset Avenue, San Jose, California (District 6) (APN 481-21-055), as Surplus Land and no Longer Required for District Purposes, District Real Estate Files 9296-4.1, 5.1, 6.1 and 4026-131.1. [16-0067](#)

Recommendation: A. Adopt a Resolution TO DECLARE TWO PARCELS LOCATED AT MAPLE AVENUE, SAN MARTIN, CALIFORNIA (DISTRICT 1) (APN 825-18-052 AND APN 825-18-007), AND ONE PARCEL AT MURPHY AVENUE, MORGAN HILL, CALIFORNIA (DISTRICT 1) (APN 825-16-062), AND 110 SUNSET AVENUE, SAN JOSE, CALIFORNIA (DISTRICT 6) (APN 481-21-055) AS SURPLUS LAND AND NO LONGER REQUIRED FOR DISTRICT PURPOSES; and
B. Authorize the Interim Chief Executive Officer to proceed with the sale and disposition of four surplus properties identified in Attachments 2 and 3, and more particularly described in Exhibits A and B of the aforementioned Resolution, in accordance with applicable California Government Code Sections 54220 et seq., and the requirements of law governing the sale of real property by counties.

Manager: Melanie Richardson, 408-630-2035

Attachments: [Attachment 1: Resolution](#)
[Attachment 2: Location Map, Maple Ave., San Martin & Murphy Av](#)
[Attachment 3: Location Map, Sunset Ave., San Jose](#)

- 3.4. Adopt Plans and Specifications and Authorize Advertisement for Bids for Pacheco Conduit and Santa Clara Tunnel Rehabilitation Project, Project No. 91214001 and 91221006. [16-0699](#)

Recommendation:

- A. Adopt the plans and specifications and authorize advertisement for bids for the construction of the Pacheco Conduit and Santa Clara Tunnel Rehabilitation Project per the Notice to Bidders;
- B. Authorize the Designated Engineer to issue addenda, as necessary, during the bidding process, and;
- C. Find that the Pacheco Conduit and Santa Clara Tunnel Rehabilitation Project is substantially complex and, therefore, requires a construction contract retention of 10 percent (10%).

Manager: James Fiedler, 408-630-2736

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

- 3.5. Approval of San Francisquito Creek Joint Powers Authority (JPA) Budget for the Fiscal Year (FY) 2016-2017, and Authorize the District's Financial Contribution to the JPA. [16-0677](#)

Recommendation:

- A. Approve the San Francisquito Creek JPA FY 2016-2017 Operating Budget; and
- B. Authorize the District's financial contribution to the JPA in the amount of \$152,000.

Manager: Melanie Richardson, 408-630-2035

Attachments: [Attachment 1: JPA FY 2016-2017 Operating Budget](#)
[Attachment 2: JPA Invoice](#)

- 3.6. Claim of Roy Woolsey. (ITEM REMOVED FROM AGENDA)

- 3.7. Evaluation Criteria for Fiscal Year 2017 District Water Conservation Grants for the Safe, Clean Water Program, Project No. 26061008. [16-0694](#)
- Recommendation: A. Approve the project evaluation criteria related to the Water Conservation Grant Program; and
 B. Delegate authority to the District Interim Chief Executive Officer to execute grant agreements in the Fiscal Year 2017 grant cycle consistent with the Water Conservation Program.
- Manager: Garth Hall, 408-630-2750
- Attachments: [Attachment 1: 2017 Evaluation Criteria](#)
 [Attachment 2: Water Conservation Grant Project Status](#)
- *3.8. CEO Bulletins for the Weeks of September 9-15 and 16-22, 2016. [16-0756](#)
- Recommendation: Accept the CEO Bulletins.
- Manager: Norma Camacho, 408-630-2084
- Attachments: [Attachment 1: 091516 CEO Bulletin](#)
 [*Attachment 2: 092216 CEO Bulletin](#)
 [*Attachment 3: Handout 3.8-A, D. Muirhead](#)
- REGULAR AGENDA:**
- 4. BOARD OF DIRECTORS:**
- 4.1. Appointment of District Representative and Alternate Representative to the San Luis and Delta Mendota Water Authority's (SLDMWA) Delta Habitat Conservation and Conveyance Plan Steering Committee (DHCCP) - Division 4. [16-0745](#)
- Recommendation: Appoint a District Representative and Alternate to the SLDMWA DHCCP Steering Committee - Division 4.
- Manager: Michele King, 408-630-2711
- Estimated Time: 5 Minutes
- 4.2. Fiscal Year 2017 Board Policy Planning and Performance Monitoring Calendar. [16-0755](#)
- 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 Calendar](#)
- Estimated Time: 5 Minutes

4.3. Board Committee Reports.

16-0766

Attachments: Handout 4.3-A, CIP Ad Hoc Committee 091916 Meeting Summary

5. WATER UTILITY ENTERPRISE:

5.1. Update on Implementation of the 2012 Water Supply and Infrastructure Master Plan and Development of the 2017 Water Supply Master Plan.

[16-0413](#)

Recommendation: A. Receive an update on implementation of the 2012 Water Supply and Infrastructure Master Plan;
B. Provide input on staff's approach to updating the Water Master Plan; and
C. Confirm the draft planning objectives are consistent with Board policy.

Manager: Garth Hall, 408-630-2750

Attachments: [Attachment 1: Scope of Work](#)
[Attachment 2: Project Summary](#)
[Attachment 3: Planning Objectives](#)
[Attachment 4: PowerPoint](#)

Estimated Time: 20 Minutes

5.2. State Water Project Tax Discussion.

[16-0581](#)

Recommendation: Consider information provided by staff and provide policy direction as necessary.

Manager: Jim Fiedler, 408-630-2736

Attachments: [Attachment 1: Powerpoint](#)
[Attachment 2: Resolution 16-33](#)
[Attachment 3: Resolution 99-21](#)

Estimated Time: 5 Minutes

6. WATERSHEDS:

- 6.1. Fiscal Year 2015-2016 (FY15-16) Safe, Clean Water and Natural Flood Protection Program Annual Report - Year 3 (County-wide). [16-0661](#)

Recommendation: A. Approve the proposed text adjustments to the Safe, Clean Water and Natural Flood Protection (Safe, Clean Water) Program;
B. Approve the FY15-16 Safe, Clean Water Program Annual Report - Year 3 with unaudited financials; and
C. Authorize staff to finalize the FY15-16 Safe, Clean Water Program Annual Report - Year 3 Annual Report (with audited financials) and submit the final report to the Independent Monitoring Committee (IMC) for its review.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: FY16 SCW Annual Report](#)
[Attachment 2: PowerPoint](#)

Estimated Time: 5 Minutes

7. CHIEF EXECUTIVE OFFICER:

- 7.1. Recommended Position on Proposition 53 - Voter Approval Requirement for Revenue Bonds above \$2 Billion. [16-0723](#)

Recommendation: Adopt a position of "Oppose" on Proposition 53 - Voter Approval Requirement for Revenue Bonds above \$2 Billion.

Manager: Rick Callender, 408-630-2017

Attachments: [Attachment 1: Proposition 53 Summary](#)
[Attachment 2: Proposition 53 Text](#)
[Attachment 3: Proposition 53 Pros and Cons](#)

Estimated Time: 5 Minutes

- 7.2. Recommended Position on Proposition 67 - Plastic Bag Ban Veto Referendum. [16-0724](#)

Recommendation: Adopt a position of "Support" on Proposition 67 - Plastic Bag Ban Veto Referendum.

Manager: Rick Callender, 408-630-2017

Attachments: [Attachment 1: Proposition 67 Summary](#)
[Attachment 2: Proposition 67 Text](#)
[Attachment 3: Proposition 67 Pros and Cons](#)

Estimated Time: 5 Minutes

- 7.3. Chief Executive Officer Report.

8. **ADMINISTRATION: None.**

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 Special Meeting at 3:00 p.m., on October 4, 2016, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.