



Santa Clara Valley Water District Board of Directors Meeting

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

***AMENDED/APPEDED AGENDA**

**Tuesday, March 14, 2017
12:00 PM**

***ITEMS AMENDED AND/OR APPEDED 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
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Tuesday, March 14, 2017

12:00 PM

District Headquarters Board Room

1. CALL TO ORDER:

1.1. Roll Call.

2. TIME CERTAIN:

12:00 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

[17-0116](#)

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

1:00 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.

- 2.6. Resolution of the Board of Directors of the Santa Clara Valley Water District Authorizing the Issuance of Not To Exceed \$65 Million Water System Refunding Revenue Bonds, Series 2017A, Approving the Execution and Delivery of Certain Documents and Authorizing Certain Acts In Connection Therewith.

[16-0588](#)

- Recommendation: A. Adopt a RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA CLARA VALLEY WATER DISTRICT AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$65,000,000 WATER SYSTEM REFUNDING REVENUE BONDS, SERIES 2017A, APPROVING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS AND AUTHORIZING CERTAIN ACTS IN CONNECTION THEREWITH;
- B. Authorize and direct the Interim Chief Executive Officer, Chief Operating Officer-Administration, Chief Financial Officer, Treasury/Debt Officer, District Counsel, and the Clerk of the Board of Directors and such other officers and staff of the District, acting singly, to do any and all things and to execute and deliver any and all documents which such officers may deem necessary or advisable in order to consummate the sale and delivery of the Refunding Revenue Bonds; and
- C. Approve the suspension of Wells Fargo Bank from the District's Negotiated Sale Underwriter Pool through September 27, 2017.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: Resolution](#)
[Attachment 2: Indenture](#)
[Attachment 3: Notice of Intention to Sell Securities](#)
[Attachment 4: Official Notice of Sale, Bid Form](#)
[Attachment 5: Preliminary Official Statement](#)
[Attachment 6: Continuing Disclosure Agreement](#)
[Attachment 7: Escrow Agreement](#)
[Attachment 8: Debt Management Policy](#)

Est. Staff Time: 20 Minutes

3. CONSENT CALENDAR: (3.1 - 3.6) (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. Resolution Authorizing Conveyance of Real Property with PREG Western Tropicana on Permanente Creek at W. El Camino Real (Mountain View) (District 7). [16-0751](#)

- Recommendation:
- A. Adopt the Resolution APPROVING THE EXCHANGE OF REAL PROPERTY WITH PREG WESTERN TROPICANA;
 - B. Authorize the Interim Chief Executive Officer to execute the Real Property Easement Exchange Agreement With PREG Western Tropicana for the exchange of real property over the Permanente Creek box culvert pursuant to Section 31 of the District Act; and
 - C. Authorize the Interim Chief Executive Officer to execute and deliver the Quitclaim Deed to PREG Western Tropicana (Real Estate File 1024-1.3) and accept in exchange the new Easement Deed from PREG Western Tropicana (Real Estate File 1024-170).

Manager: Vincent Gin, 408-630-2633

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

3.2. Resolution Declaring March 21-28, 2017, as a Week of Public Service in Honor of César Chávez. [17-0095](#)

- Recommendation:
- A. Recognize and observe March 21-28, 2017, as a week of public service in honor of César Chávez; and
 - B. Adopt the resolution DECLARING MARCH 21-28, 2017, AS A WEEK OF PUBLIC SERVICE IN HONOR OF CESAR CHAVEZ.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: Resolution](#)

- 3.3. Board of Directors' Quarterly Expense Report for the Quarter Ending December 31, 2016. [17-0038](#)
Recommendation: A. Review the Board of Directors' Quarterly Expense Report for the Quarter Ending December 31, 2016; and
B. Approve the report, if the reimbursements comply with Board Policy.
Manager: Darin Taylor, 408-630-3068
Attachments: [Attachment 1: 123116 Quarterly Expense Report](#)
- 3.4. Reduction of Construction Contract Retention for the Lower Silver Creek Flood Protection and Creek Restoration Project, Reach 6B, Robert A. Bothman, Inc., Contractor, Project No. 40264008, Contract No. C0594 (San Jose) (District 6). [17-0089](#)
Recommendation: Authorize reducing the current construction contract retention of ten percent (10%) to five percent (5%), consistent with the minimum amount required by the California Public Contract Code.
Manager: Katherine Oven, 408-630-3126
Attachments: [Attachment 1: Construction Progress Photos](#)
- *3.5. CEO Bulletins for the Weeks of February 24 Through March 2, and March 3-9, 2017. [17-0148](#)
Recommendation: Accept the CEO Bulletins.
Manager: Norma Camacho, 408-630-2084
Attachments: [Attachment 1: 030217 CEO Bulletin](#)
[*Attachment 2: 030917 CEO Bulletin](#)
- 3.6. Approval of Minutes. [17-0088](#)
Recommendation: Approve the minutes.
Manager: Michele King, 408-630-2711
Attachments: [Attachment 1: 011717 Special Joint Meeting Minutes](#)
[Attachment 2: 012417 Regular Meeting Minutes](#)
[Attachment 3: 013117 Special Meeting Minutes](#)
[Attachment 4: 021417 Regular Meeting Minutes](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

- *4.1. Recommendation from the Pacheco Reservoir Exploratory Ad Hoc Committee to Authorize the Interim CEO to execute the Principles of Agreement - Submittal of Proposition 1 Application and Joint Investigation of Pacheco Reservoir Expansion. [17-0147](#)

Recommendation: The Pacheco Reservoir Exploratory Ad Hoc Committee recommends that the Board authorize the Interim CEO to execute the Principles of Agreement - Submittal of Proposition 1 Application and Joint Investigation of Pacheco Reservoir Expansion

Manager: Garth Hall, 408-630-2750

Attachments: [Attachment 1: Principles of Agreement](#)

Est. Staff Time: 10 Minutes

- 4.2. Board Committee Reports.

5. WATER UTILITY ENTERPRISE:

- 5.1. Review and Confirm Proposed Principles Related to California WaterFix. [17-0087](#)

Recommendation: A. Review and confirm proposed Principles related to the California WaterFix; and
B. Receive and discuss updated information on the California WaterFix.

Manager: Garth Hall, 408-630-2750

Attachments: [Attachment 01: Draft Principles](#)
[Attachment 02: SCVWD Policy Statement to State Water Board](#)
[Attachment 03: Board Policy and CEO Interpretations](#)
[Attachment 04: Board of Supervisors Resolution](#)
[Attachment 05: Board Communication Schedule](#)
[Attachment 06: PowerPoint](#)

Est. Staff Time: 10 Minutes

- 5.2. Sites Project Authority's Amended and Restated Phase 1 Reservoir Project Agreement. [17-0105](#)

Recommendation: Authorize the CEO to execute the Sites Project Authority's Amended and Restated Phase 1 Reservoir Project Agreement and to pay the Sites Joint Power Authority \$913,146 towards the current phase of the Sites Reservoir Project expenditures.

Manager: Garth Hall, 408-630-2750

Attachments: [Attachment 1: Sites Phase 1 Agreement](#)
[Attachment 2: Exhibit A1](#)
[Attachment 3: Exhibit B](#)
[Attachment 4: Exhibit C](#)
[Attachment 5: Bylaws of the Sites JPA](#)
[Attachment 6: Proposal to Participate](#)
[Attachment 7: Estimated Revenue Table](#)
[Attachment 8: Revisions to Sites Phase 1 Agreement](#)
[Attachment 9: Amended Sites JPA Agreement](#)
[Attachment 10: PowerPoint](#)

Est. Staff Time: 10 Minutes

6. WATERSHEDS:

- 6.1. Staff Response to Independent Monitoring Committee (IMC) Report on Safe, Clean Water and Natural Flood Protection Program Year 3 Annual Report for Fiscal Year 2015-2016. [17-0119](#)

Recommendation: A. Accept Staff Response to IMC Report on Safe, Clean Water and Natural Flood Protection Program Year 3 Annual Report for Fiscal Year 2015-2016; and
B. Provide additional direction as necessary.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Staff Response to FY16 IMC Report](#)

Est. Staff Time: 15 Minutes

- 6.2. Safe, Clean Water and Natural Flood Protection Program (SCW) [17-0123](#)
Priority D - Project D3 (Grants and Partnerships to Restore Wildlife Habitat and Provide Access to Trails) Mini-Grant Pilot Program.

Recommendation: A. Approve the proposed Priority D - Project D3 Mini-Grant Pilot Program components listed below; including; and

- i. Mini-Grant Minimum Requirements and Evaluation Criteria;
- ii. Submittal, Selection and Award Process;
- iii. Application Form;
- iv. Evaluation Score Sheet; and
- v. Outreach Plan.

B. Authorize the District to implement the Priority D3 Mini-Grant Pilot Program through June 30, 2018 or until the \$200,000 in funding is awarded (whichever occurs first); at which time staff will evaluate the program's success and present to the Board a recommendation for its continuation or termination.

Manager: Melanie Richardson, 408-630-2035

Attachments: [Attachment 1: Minimum Requirements and Evaluation Criteria](#)
[Attachment 2: Submittal, Selection and Award Process](#)
[Attachment 3: Application Form](#)
[Attachment 4: Evaluation Score Sheet](#)
[Attachment 5: Outreach Plan](#)

Est. Staff Time: 10 Minutes

7. CHIEF EXECUTIVE OFFICER:

- 7.1. Recommended Position on State Legislation: SB 492 (Beall) Upper [17-0106](#)
Guadalupe and Los Gatos Creek Watersheds.

Recommendation: Adopt a position of "Support" on: SB 492 (Beall) Upper Guadalupe and Los Gatos Creek Watersheds.

Manager: Rick Callender, 408-630-2017

Est. Staff Time: 5 Minutes

- 7.2. Chief Executive Officer Report.

- *7.2 Storm Report Update (March 1, 2017 Through March 14, 2017) -
- A. Receive and Discuss Current Storm Report Information.

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 the 9:00 a.m. Special Meeting, on March 23, 2017, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.

