



Santa Clara Valley Water District Board of Directors Meeting

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

***AMENDED/APPENDED AGENDA**

**Tuesday, April 11, 2017
11:00 AM**

***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
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Tuesday, April 11, 2017

11:00 AM

District Headquarters Board Room

1. CALL TO ORDER:

1.1. Roll Call.

2. TIME CERTAIN:

11:00 AM

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**

[17-0235](#)

CONFERENCE WITH LEGAL COUNSEL

Anticipated litigation

Pursuant to Government Code 54956.9 (e)(2) (February flood event)
and 54956.9(e)(3)

Claim of Edward and Annamarie Murphy and Claim of Annalisa Wilson.

2.2. CLOSED SESSION

[17-0210](#)

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation

Pursuant to Government Code 54956.9(b)

Joseph Bandel v. Santa Clara Valley Water District

***2.3. CLOSED SESSION**

[17-0234](#)

Pursuant to Government Code 54957

Public Employment

Title of employee being reviewed - Chief Executive Officer/General
Manager

1:00 PM

2.4. District Counsel Report.

2.5. Pledge of Allegiance/National Anthem.

2.6. Orders of the Day.

A. Approximate Discussion Time (Board); and

B. Adjustments to the Order of Agenda Items.

2.7. 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.

2.8. Adoption of a Resolution in Support of National Heritage Area
Designation for Santa Clara County.

[17-0198](#)

Recommendation: Adopt the Resolution SUPPORT OF NATIONAL HERITAGE AREA DESIGNATION FOR SANTA CLARA COUNTY, to Support County of Santa Clara's Effort in Requesting U.S. Congress's Consideration and Designation of Santa Clara County as a National Heritage Area.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: PowerPoint](#)
[Attachment 2: Resolution](#)

Est. Staff Time: 10 Minutes

- 2.9. Public Hearing - Annual Report on the Protection and Augmentation of Water Supplies - February 2017 and Recommended Groundwater Production and Other Water Charges for Fiscal Year 2017-2018 (FY 2017-18). [17-0169](#)

Recommendation: A. Conduct a public hearing pursuant to Section 26.6 of the District Act to consider the District FY 2017-18 Annual Report on the Protection and Augmentation of Water Supplies, and direct staff to review such report with, and solicit comments from the District's advisory committees;

B. Hear public comments from groundwater producers and any interested persons regarding such report; and

C. Continue the public hearing regarding such report to the April 13, 2017 special meeting, at 7:00 pm.

Manager: Jim Fiedler, 408-630-2736

Attachments: [Attachment 1: Staff Report](#)
[Attachment 2: PowerPoint](#)
[Attachment 3: Resolution No. 12-10](#)
[Attachment 4: Resolution No. 12-11](#)

Est. Staff Time: 20 Minutes

1:30 PM

- 2.10. Update on United States Army Corps of Engineers (USACE) Partnership Projects. [17-0184](#)

Recommendation: Receive and discuss information related to status of the United States Army Corps of Engineers (USACE) projects where the District is the Local Sponsor, Co-Local Sponsor or member of a Local Sponsor Agency.

Manager: Ngoc Nguyen, 408-630-2632
Katherine Oven, 408-630-3126

Attachments: [Attachment 1: Federal Appropriation Requests](#)
[Attachment 2: PowerPoint](#)

Est. Staff Time: 20 Minutes

2.11. District's Capital Improvement Program Fiscal Year 2016-17 Progress Report for Watersheds Capital Projects.

[17-0104](#)

- Recommendation:
- A. Receive information from staff on the FY2016-17 Capital Improvement Program (CIP) progress reports for key Watersheds Capital Projects; and
 - B. Approve adjustments to the Safe, Clean Water and Natural Flood Protection Program (SCW Program) schedules for four Watersheds projects.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 75 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. Fiscal Year 2015-16 Year-End Closing Budget Adjustment and Fiscal Year 2016-17 Mid-Year Budget Adjustment (D. Taylor).

[17-0151](#)

- Recommendation:
- A. Approve the Fiscal Year 2015-16 year-end closing budget adjustment; and
 - B. Approve the Fiscal Year 2016-17 mid-year budget adjustment.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: FY15-16 Year-End Budget Adjustment](#)
[Attachment 2: FY16-17 Mid-Year Budget Adjustment](#)

- 3.2. Providing Notice of Time and Place of Public Hearing Regarding Flood Control Benefit Assessments for Fiscal Year 2017-2018 (FY 2017-18). [17-0186](#)

Recommendation: Set a time and place for the public hearing on Flood Control Benefit Assessments for FY 2017-18 at 1:00 p.m. on May 9, 2017, at the Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose, California.

Manager: Melanie Richardson, 408-630-2035

Attachments: [Attachment 1: Benefit Assessment Report 2017](#)
[Attachment 2: Notice of Public Hearing](#)

- 3.3. Adopt Plans and Specifications and Authorize Advertisement for Bids for the Installation of Cathodic Protection Rectifiers and Deep-Well Anodes on the Pacheco Conduit, Project No. 91214010. [16-0566](#)

Recommendation: A. Adopt Plans and Specifications and Authorize Advertisement for Bids for the Installation of Cathodic Protection Rectifiers and Deep-Well Anodes on the Pacheco Conduit per the Notice to Bidders; and

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

Manager: Jim Fiedler, 408-630-2736

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

- 3.4. Designation of Impartial Third Party to Oversee Validation and Tabulation of Written Protests for Fiscal Year 2017-2018 Groundwater Production and Surface Water Charges. [17-0158](#)

Recommendation: Designate an impartial third party to oversee the verification and tabulation of the written groundwater production and surface water protests.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: Resolution Nos. 12-10 and 12-11](#)
[Attachment 2: Uhlenberg's Proposal](#)

- *3.5. CEO Bulletin for the Weeks of March 24-30, and March 31-April 6, 2017.

[17-0211](#)

Recommendation: Accept the CEO Bulletins.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: 033017 CEO Bulletin](#)
[Attachment 2: 040617 CEO Bulletin](#)

- *3.6. Approval of Minutes.

[17-0156](#)

Recommendation: Approve the minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 022817 Regular Meeting Minutes](#)
[Attachment 2: 030117 Special Meeting Minutes](#)
[Attachment 3: 031417 Regular Meeting Minutes](#)
[Attachment 4: 032317 Special Meeting Minutes](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

*4.1. Recommendation Regarding District-Owned Residential Rental Properties, Following District Outreach and Analysis.

[17-0146](#)

Recommendation:

- A. Approve making no change to the District's current property management practices in regards to residential rental properties (in accordance with Resolution 09-78) , based upon the outreach and analysis provided by staff in response to the Board's November 22, 2016 request regarding the use of District-owned residential rental properties;
- B. Approve utilizing a portion of net rental income from properties purchased through Watersheds (Fund 12) to fund the homeless encampment cleanup project and for development of a pilot program that focuses on the impacts of homeless encampments in each city where the net rental income is being utilized, with transference or reallocation to begin in Fiscal Year 2020;
 - i. Up to ninety (90) percent of each FY's net rental income will be utilized to fund the Safe, Clean Water and Natural Flood Protection Program Encampment Cleanup Project (SCW Project B4) through FY 2028;
 - ii. Up to 10 percent of each FY's net rental income will be utilized to develop a pilot program to help address waterway and stream stewardship impacts of homeless encampments in each city with Fund 12 District-owned residential rental properties, which will be implemented through FY 2021, at which time staff will assess the pilot program and return to the Board with a recommendation on whether to continue its implementation; and
- C. Direct the Capital Improvement Program (CIP) Ad-Hoc Committee to review Recommendation B's proposed transfer from Fund 12 to Fund 26 for SCW Project B4 and the use of those Fund 12 funds for the pilot program to help address waterway and stream stewardship impacts of homelessness in light of other Fund 12 capital project funding needs; and return to the Board with a recommended annual transfer amount into SCW Project B4 to be implemented from FY 2020 to FY 2028 and for the pilot program from FY 2020 to FY 2021.

Manager: Melanie Richardson, 408-630-2035

Attachments: [Attachment 1: Resolution No. 09-78](#)
 [Attachment 2: City of Mountain View Council Report](#)
 [Attachment 3: Handout 4.1-A](#)

Est. Staff Time: 20 Minutes

5. WATER UTILITY ENTERPRISE:

6. WATERSHEDS:

7. CHIEF EXECUTIVE OFFICER:

7.1. Chief Executive Officer Report.

8. ADMINISTRATION:

9. DISTRICT COUNSEL:

10. ADJOURN:

10.1. Board Member Reports/Announcements.

10.2. Clerk Review and Clarification of Board Requests.

10.3. Adjourn to 7:00 p.m., Special Meeting on April 13, 2017, in the Morgan Hill
 City Council Chambers, 17555 Peak Ave., Morgan Hill.