



Santa Clara Valley Water District Board of Directors Meeting

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

***AMENDED/APPENDED 12:00 PM CLOSED SESSION AND 1:00 PM REGULAR MEETING AGENDA**

**Tuesday, June 13, 2017
12:00 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

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.

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

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Tuesday, June 13, 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 [17-0363](#)
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957(b)(1)
Title: Clerk of the Board, Interim CEO and District Counsel

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. Public Hearing on Proposed Modification to the Coyote Creek Flood Protection Project of the Safe, Clean Water and Natural Flood Protection Program.

[17-0284](#)

- Recommendation:
- A. Conduct the public hearing on the Proposed Modification to the Coyote Creek Flood Protection Project of the Safe, Clean Water and Natural Flood Protection Program;
 - B. Adopt the Resolution APPROVING MODIFICATION TO THE COYOTE CREEK FLOOD PROTECTION PROJECT OF THE SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM; and
 - C. Approve a Fiscal Year 2018 budget adjustment of \$600,000 from the Safe Clean Water Fund Operating and Capital Reserve for the Coyote Creek Flood Protection Project.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Original Project Description](#)
[Attachment 2: Proposed Modifications to Project Description \(stri](#)
[Attachment 3: Modified Project Description \(final version\)](#)
[Attachment 4: Resolution](#)
[Attachment 5: Notice of Public Hearing](#)

Est. Staff Time: 20 Minutes

2.7. Public Hearing and Resolution to Become the Groundwater Sustainability Agency for the Portions of the Hollister and San Juan Bautista Subbasins Located within Santa Clara County.

[17-0290](#)

- Recommendation: A. Conduct the public hearing to become the Groundwater Sustainability Agency for the portions of the Hollister and San Juan Bautista Subbasins located within Santa Clara County; and
- B. Adopt the Resolution BECOMING THE GROUNDWATER SUSTAINABILITY AGENCY FOR THE PORTIONS OF THE HOLLISTER AND SAN JUAN BAUTISTA SUBBASINS LOCATED WITHIN SANTA CLARA COUNTY.

Manager: Garth Hall, 408-630-2750

Attachments: [Attachment 1: Map](#)
[Attachment 2: Resolution](#)
[Attachment 3: Draft MOU with San Benito County Water District](#)
[Attachment 4: PowerPoint](#)

Est. Staff Time: 10 Minutes

- 2.8. Public Hearing on the Final Initial Study/Mitigated Negative Declaration and Engineer's Report; Resolution Adopting the Final Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; Resolution Approving the Engineer's Report; and Project Approval of the Main Avenue and Madrone Pipeline Restoration Project, Project No. 26564001 (Morgan Hill) (District 1).

[17-0307](#)

- Recommendation:
- A. Conduct Public Hearing on the Final Initial Study/Mitigated Negative Declaration (IS/MND) and Engineer's Report for the Main Avenue and Madrone Pipeline Restoration Project (Project);
 - B. Close the Public Hearing;
 - C. Consider the potential environmental effects of the Project as discussed in the Final IS/MND;
 - D. Adopt a Resolution ADOPTING THE FINAL INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION AND THE MITIGATION MONITORING AND REPORT PROGRAM FOR THE MAIN AVENUE AND MADRONE PIPELINE RESTORATION PROJECT;
 - E. Adopt a Resolution APPROVING THE ENGINEER'S REPORT FOR THE MAIN AVENUE AND MODRONE PIPELINE RESTORATION PROJECT; and
 - F. Approve the Project.

Manager: Christopher Hakes, 408-630-3796

Attachments: [Attachment 1: Final IS/MND including MMRP](#)
[Attachment 2: Resolution Adopting Final IS/MND and MMRP](#)
[Attachment 3: Resolution Approving the Engineer's Report](#)
[Attachment 4: Engineer's Report](#)
[Attachment 5: Notice of Public Hearing](#)
[Attachment 6: Project Delivery Process Chart](#)
[Attachment 7: PowerPoint](#)

Est. Staff Time: 15 Minutes

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 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 to Set a Public Hearing on the Engineer's Report for the Coyote Warehouse Project - Project No. 91234011 (Morgan Hill) (District 1). [17-0302](#)

Recommendation: Adopt the Resolution PROVIDING FOR THE NOTICE OF TIME AND PLACE OF PUBLIC HEARING ON THE ENGINEER'S REPORT FOR THE COYOTE WAREHOUSE PROJECT to occur on June 27, 2017, at 6:00 PM at the Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose, California.

Manager: Katherine Oven, 408-630-3126

Attachments: [Attachment 1: Resolution](#)
[Attachment 2: Engineers Report](#)
[Attachment 3: Notice of Public Hearing](#)

- 3.2. Revision of the District's Conflict of Interest Code to Include Newly Created Positions of Administrative Services Manager (ASM) - Civic Engagement Manager, Board Executive Aide, and Chief of External Affairs. [17-0310](#)

Recommendation: Adopt the Resolution AMENDING THE CONFLICT OF INTEREST CODE FOR THE SANTA CLARA VALLEY WATER DISTRICT, TO INCLUDE THE NEWLY CREATED POSITIONS OF: ASM - CIVIC ENGAGEMENT MANAGER, BOARD EXECUTIVE AIDE, AND CHIEF OF EXTERNAL AFFAIRS, INCLUDING THE APPENDICES WHEREIN THE POSITION REQUIRED TO FILED STATEMENTS OF ECONOMIC INTEREST ARE DESIGNATED.

Manager: Anil Comelo, 408-630-2470

Attachments: [Attachment 1: Resolution](#)
[Attachment 2: Conflict of Interest Code, Red-Lined Version](#)
[Attachment 3: Conflict of Interest Code, Proposed Final Version](#)
[Attachment 4: CA Form 804, Agency Report of New Positions](#)

- 3.3. Adopt Plans and Specifications and Authorize Advertisement for Bids for Pacheco Conduit Inspection and Rehabilitation Project, Project Nos. 91214001 and 91221006 Contract No. 0629 (Unincorporated County), (District 1). [17-0282](#)

- Recommendation:
- A. Adopt the plans and specifications and authorize advertisement for bids for inspection and rehabilitation of the Pacheco Conduit 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 Inspection and Rehabilitation Project is substantially complex and, therefore, requires a construction contract retention of 10 percent.

Manager: Christopher Hakes, 408-630-3796

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

- 3.4. Report of Bids Received, Award of Construction Contract to Farwest Corrosion Control Company for the Installation of Cathodic Protection Rectifiers and Deep-Well Anodes on the Pacheco Conduit Project, Project No. 91214010, Contract No. C0623 (Unincorporated County), (District 1). [16-0605](#)

- Recommendation:
- A. Ratify Addendum No. 1 to the Contract documents for the Installation of Cathodic Protection Rectifiers and Deep-Well Anodes on the Pacheco Conduit Project;
 - B. Waive minor irregularities in Farwest Corrosion Control Company's Bid;
 - C. Award the Contract to Farwest Corrosion Control Company, in the sum of \$291,740; and
 - D. Approve a contingency sum of \$43,761 and authorize the Interim Chief Executive Officer or designee to approve individual change orders up to the designated amount.

Manager: Christopher Hakes, 408-630-3796

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

- 3.5. Board of Directors' Quarterly Expense Report for the Quarter Ending March 31, 2017. [17-0324](#)
- Recommendation: A. Review the Board of Directors' Quarterly Expense Report for the Quarter Ending March 31, 2017; and
- B. Approve the report, if the reimbursements comply with Board Policy.
- Manager: Darin Taylor, 408-630-3068
- Attachments: [Attachment 1: Quarterly Expense Report, Quarter Ending 033117](#)
- 3.6. Notice of Completion of Contract and Acceptance of Work for the Lower Berryessa Creek Project, Phase 1, Brosamer & Wall, Inc., Contractor, Project No 40174004, Contract No. C0604 (Milpitas), (District 3). [17-0203](#)
- Recommendation: A. Accept the work as complete; and
- B. Direct the Clerk of the Board to sign the Notice of Completion of Contract and Acceptance of Work and submit for recording to the Santa Clara County Clerk-Recorder.
- Manager: Ngoc Nguyen, 408-630-2632
- Attachments: [Attachment 1: Notice of Completion and Acceptance of Work](#)
[Attachment 2: Recommendation of Contract Acceptance](#)
[Attachment 3: Project Completion Letter](#)
[Attachment 4: PowerPoint](#)
[Attachment 5: Project Delivery Process Chart](#)
- *3.7. CEO Bulletins for the Weeks of May 19-25, May 26 Through June 1, and June 2-8, 2017. [17-0383](#)
- Recommendation: Accept the CEO Bulletins.
- Manager: Norma Camacho, 408-630-2084
- Attachments: [Attachment 1: 05/25/2017 CEO Bulletin](#)
[Attachment 2: 06/01/2017 CEO Bulletin](#)
[*Attachment 3: 06/08/2017 CEO Bulletin](#)

*3.8. Approval of Minutes.

[17-0382](#)

Recommendation: Approve the minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 041117 Regular Meeting Minutes](#)
[Attachment 2: 041317 Special Meeting Mins](#)
[*Attachment 3: 042517 Regular Meeting Minutes](#)
[*Attachment 4: 042617 Special Meeting Minutes](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

*4.1. Recommendation from Board Audit Committee to Receive Safe, Clean Water and Natural Flood Protection Program Audit Project Final Report Presentation.

[17-0378](#)

Recommendation: Receive a presentation of the final Safe, Clean Water and Natural Flood Protection Program Audit (SCW Program Audit) report from Moss-Adams.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: Final Audit Report](#)

Est. Staff Time: 30 Minutes

4.2. Board Committee Reports.

5. WATER UTILITY ENTERPRISE:

5.1. Climate Change Mitigation - Update on Progress Towards Carbon Neutrality by 2020.

[16-0589](#)

Recommendation: Receive and discuss information on the District's progress towards carbon neutrality by 2020.

Manager: Jim Fiedler, 408-630-2736

Attachments: [Attachment 1: PowerPoint](#)
[Attachment 2: Methodology](#)
[Attachment 3: DWR Green House Gas Reduction Goals](#)
[Attachment 4: Status of Energy Optimization Plan](#)

Est. Staff Time: 20 Minutes

5.2. Update on 2017 Water Supply Conditions.

[16-0686](#)

- Recommendation: A. Receive, review, and discuss updated information on 2017 water supply and drought response efforts, and provide direction to staff as necessary; and
- B. Adopt a Resolution RESCINDING RESOLUTION 17-08, AND CALLING FOR EFFORTS TO MAKE WATER CONSERVATION A WAY OF LIFE.

Manager: Garth Hall, 408-630-2750

Attachments: [Attachment 1: PowerPoint](#)
[Attachment 2: FY16 District Water Conservation Report](#)
[Attachment 3: Governor's Factsheet](#)
[Attachment 4: Resolution](#)

Est. Staff Time: 20 Minutes

*5.3. Risk Analysis of District Assets.

[16-0793](#)

Recommendation: Receive the information on risk analysis of District assets.

Manager: Kurt Arends, 408-630-2284

Attachments: [Attachment 1: 10-Step Asset Managment Planning Process](#)
[Attachment 2: Consequence of Failure Matrix](#)
[Attachment 3: Water Utility Asset Risk Summary](#)
[*Attachment 4: PowerPoint](#)
[*Handout 5.3-A, K. Irvin](#)

Est. Staff Time: 15 Minutes

- 5.4. Purchase of Pre-Stressed Concrete Cylinder Pipe Condition [17-0296](#)
Assessment and Monitoring Services for the Almaden Valley Pipeline
Under a Sole Source Agreement with Pure Technologies U.S., Inc. for a
Total Not-to-Exceed \$2,500,000.

- Recommendation: A. Approve a sole/single source purchase of services from Pure Technologies U.S., Inc. (Pure Technologies), to provide electromagnetic inspection and an acoustic fiber optic monitoring system for the Almaden Valley Pipeline for a not-to-exceed total amount of \$2,500,000; and
- B. Authorize the Interim Chief Executive Officer (CEO) or her designee/successor to negotiate and execute an agreement with Pure Technologies for these condition assessment and monitoring services.

Manager: Christopher Hakes, 408-630-3796

Attachments: [Attachment 1: Map](#)
[Attachment 2: Sole Source Letter](#)

Est. Staff Time: 10 Minutes

6. WATERSHEDS:

- 6.1. Update on Implementing the Fisheries and Aquatic Habitat Collaborative Effort (FAHCE) Settlement Agreement's Conditions Precedent and Sole Source Agreement with Fishbio for Vaki Riverwatcher Fish Monitoring System, for a Not-to-exceed Total Amount of \$226,363. [16-0596](#)

- Recommendation: A. Discuss the status of the FAHCE Settlement Agreement (Settlement Agreement) Process - Fish Habitat Restoration Plan (FHRP), Environmental Impact Report, and Water Right Change Petition Process; and
- B. Approve the sole-source procurement of three Vaki Riverwatcher fish monitoring systems for an amount not-to-exceed \$226,363 to support FAHCE biological monitoring.

Manager: Vincent Gin, 408-630-2633

Attachments: [Attachment 1: Powerpoint](#)
[Attachment 2: Procurement Installation Costs](#)

Est. Staff Time: 10 Minutes

7. EXTERNAL AFFAIRS:

- 7.1. Santa Clara Valley Water District Communications and Community Engagement Program Update. [17-0319](#)

Recommendation: A. Receive update on the Santa Clara Valley Water District (District) Communications and Community Engagement Program;

B. Provide input on current and future challenges, goals and accomplishments since the last presentation to the Board; and

C. Accept staff report on Transparency Compliance Audit recommendations dealing with District-wide civic engagement plan.

Manager: Rick Callender, 408-630-2017

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 15 Minutes

8. CHIEF EXECUTIVE OFFICER:

- 8.1. Chief Executive Officer Report.

9. ADMINISTRATION:

- 9.1. Fiscal Year 2016-17 Budget Office Fourth Quarter Budget Adjustment. [17-0332](#)

Recommendation: Approve the Fiscal Year 2016-17 fourth quarter budget adjustments totaling \$10.7 million.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: FY 2016-17 Fourth Quarter Budget Adjustment](#)

Est. Staff Time: 10 Minutes

10. DISTRICT COUNSEL:

11. ADJOURN:

- 11.1. Board Member Reports/Announcements.
- 11.2. Clerk Review and Clarification of Board Requests.
- 11.3. Adjourn to 5:30 p.m. Special Meeting on June 15, 2017, in the Santa Clara County Board of Supervisors' Chambers, County Government Center, 70 West Hedding Street, 1st Floor, San Jose, California.

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