



Santa Clara Valley Water District Board of Directors Meeting

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

***AMENDED/APPENDED AGENDA**

**Tuesday, November 28, 2017
5:00 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
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

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

***AMENDED/APPEDED
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Tuesday, November 28, 2017

5:00 PM

District Headquarters Board Room

1. CALL TO ORDER:

1.1. Roll Call.

2. TIME CERTAIN:

5:00 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**

[17-0763](#)

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6(a)

Agency Designated Representatives: Norma Camacho, Anil Comelo,
Michael Baratz, Laura Harbert, Dania Torres Wong, Esq.

Employee Organizations: Employees Association, Engineers Society,
Professional Managers Association

6:00 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. Presentation and Discussion of the Santa Clara Valley Agricultural Preservation Plan by County of Santa Clara.

[17-0700](#)

Recommendation: Discuss the Santa Clara Valley Agricultural Preservation Plan, formerly the Climate and Agricultural Preservation Program, and provide direction, as appropriate.

Manager: Afshin Rouhani, 408-630-2616

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 15 Minutes

3. CONSENT CALENDAR: (3.1 - 3.9) (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 of the Board of Directors of the Santa Clara Valley Water District Adopting Employee Salary Schedule - Effective June 19, 2017.

[17-0360](#)

Recommendation: Adopt a resolution ADOPTING EMPLOYEE SALARY SCHEDULE EFFECTIVE JUNE 19, 2017.

Manager: Anil Comelo, 408-630-2470

Attachments: [Attachment 1: Resolution](#)

- 3.2. Amendment No. 2 to Agreement A3778A with URS Corporation for Dam Safety Evaluation Services for a Not-to-Exceed Fee of \$800,000, Resulting in a Total Not-to-Exceed Fee of \$8,600,359 for Dam Safety Evaluation of Coyote, Chesbro, and Uvas Dams Project, Project No. 91084019 (Unincorporated Santa Clara County) (District 1). [17-0725](#)

Recommendation: Approve Amendment No. 2 to Agreement A3778A with URS Corporation for Dam Safety Evaluation Services for a not-to-exceed Fee of \$800,000, resulting in a total not-to-exceed fee of \$8,600,359.

Manager: Katherine Oven, 408-630-3126

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

- 3.3. Notice of Completion of Contract and Acceptance of Work for the Lower Silver Creek Flood Protection and Creek Restoration Project, Reaches 5C to 6A (Construction Phase - Milestone 1), Proven Management, Inc., Contractor, Project No. 40264008, Contract No. C0580 (San Jose) (District 6). [17-0741](#)

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: Katherine Oven, 408-630-3126

Attachments: [Attachment 1: Notice of Completion](#)
[Attachment 2: Contract Acceptance](#)
[Attachment 3: Completion Letter](#)
[Attachment 4: PowerPoint](#)
[Attachment 5: Delivery Process Chart](#)

- *3.4. THIS ITEM MOVED TO ITEM 6.2.

- 3.5. Amendment No. 1 to Consultant Services Agreement No. A4020A with [17-0749](#)
Vena Solutions USA, Inc., for the Implementation of the New Budgeting,
Financial Forecasting and Capital Planning Software Solution, Increasing
the Total Not-To-Exceed Agreement Amount from \$348,960 to \$558,304.

Recommendation:

- A. Approve Amendment No. 1 to Agreement No. A4020A
for Project No. 73274002, Budgeting, Financial
Forecasting and Capital Planning Project;
- B. Authorize the Chief Executive Officer to execute
Amendment No. 1; and
- C. Approve a budget adjustment in the amount of \$157,000
for budget module enhancements.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: Agreement No. A4020A](#)
[Attachment 2: Amendment No.1](#)

- 3.6. Resolution Authorizing the Conveyance of Interests in Real Property to Civic South Bay LLC for the Evergreen Circle Project, Project No.62011002 on Lower Silver Creek (San Jose), (District 1). [17-0298](#)

Recommendation:

- A. Consider the Environmental Impact Report, Supplemental Environmental Impact Report, and Addendum for the Evergreen-East Hills Vision Strategy prepared by the City of San Jose as the Lead Agency;
- B. Adopt a Resolution MAKING RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR APPROVAL OF OF REAL PROPERTY CONVEYANCE ALONG SILVER CREEK;
- C. Adopt a Resolution APPROVING THE RECONVEYANCE OF REAL PROPERTY TO CIVIC SOUTH BAY LLC, A SUCCESSOR IN INTEREST TO THE FORMER OWNER; and
- D. Approve and Authorize the Chief Executive Officer (CEO) to Execute the Agreement for Sale of Real Property to Civic South Bay LLC and Quitclaim Deeds Real Estate File No. 4026-92.1 and 4026-93.1.

Manager: Melanie Richardson, 408-630-2035

Attachments: [Attachment 1: Site Map](#)
[Attachment 2: Resolution](#)
[Attachment 3: Hazardous Substance Liability Assessment](#)
[Attachment 4: Waiver Memo](#)
[Attachment 5: CEQA Findings](#)
[Attachment 6: CEQA Resolution](#)
[Attachment 7: Draft Environmental Impact Report](#)
[Attachment 8: Agreement](#)
[Attachment 9: Quitclaim Deed #4026-92.1](#)
[Attachment 10: Quitclaim Deed #4026-93.1](#)

- 3.7. Approval of Minutes. [17-0765](#)

Recommendation: Approve the minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 102417 Regular Meeting Minutes](#)

*3.8. CEO Bulletins for the Weeks of November 10-16, and 17-23. 2017.

[17-0790](#)

Recommendation: Accept the CEO Bulletins.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: 111617 CEO Bulletin](#)
[Attachment 2: 112317 CEO Bulletin](#)

*3.9. Report of Bids Received, Award of Construction Contract to Alisto Engineering Group, Inc. for the Installation of Cathodic Protection Rectifiers and Deep-Well Anodes on the Santa Clara Conduit Project, Project No. 91214010, Contract No. C0632 (Unincorporated County), (District 1).

[17-0788](#)

Recommendation:

- A. Ratify Addenda Nos. 1, 2, and 3 to the Contract Documents for the Installation of Cathodic Protection Rectifiers and Deep-Well Anodes on the Santa Clara Conduit Project;
- B. Award the Contract to Alisto Engineering Group, Inc., of Walnut Creek, CA in the sum of \$244,400; and
- C. Approve a contingency sum of \$36,600 (15%) and authorize the Chief Executive Officer or designee to approve individual change orders up to the designated amount.

Manager: Christopher Hakes, 408-630-3796.

Attachments: [Attachment 1: Addenda Nos. 1, 2, and 3.](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

4.1. Fiscal Year 2018 Board Policy Planning and Performance Monitoring Calendars.

[17-0516](#)

Recommendation: Review, discuss and revise, if necessary, the Fiscal Year 2018 Board Policy Planning and Performance Monitoring Calendars.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: FY18 Policy Planning Calendar](#)
[Attachment 2: FY18 Performance Monitoring Calendar](#)

Est. Staff Time: 5 Minutes

4.2. Board Committee Reports.

5. WATER UTILITY ENTERPRISE:

5.1. Planning for FY 2018-19 Groundwater Production Charges.

[17-0697](#)

Recommendation: Discuss planning for Fiscal Year 2018-19 Groundwater Production Charges and provide direction to staff.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: PowerPoint](#)
[Attachment 2: Resolution 99-21 \(Pricing Policy\)](#)
[Attachment 3: Resolution 12-10](#)
[Attachment 4: Resolution 12-11](#)

Est. Staff Time: 60 Minutes

6. WATERSHEDS:

6.1. Lower Penitencia Creek Improvements Project - Resolution Certifying the Final Environmental Impact Report, Adopting the Mitigation Monitoring and Reporting Program, Findings of Fact, and Statement of Overriding Considerations; and Approving the Project.

[17-0714](#)

Recommendation:

- A. Consider the Potential Environmental Effects of the Lower Penitencia Creek Improvements Project (Project) as presented in the Final Environmental Impact Report (EIR);
- B. Adopt the Resolution CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM, FINDINGS OF FACT, AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE LOWER PENITENCIA CREEK IMPROVEMENTS PROJECT; and
- C. Approve the Project.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Resolution](#)
[Attachment 2: Final EIR Executive Summary](#)

Est. Staff Time: 5 Minutes

- 6.2. Update on the Condition of the Stevens Creek Bank Erosion Repair Emergency Project, Project No. 62062003 (El Nino Flood Emergency Response) (Mountain View) (District 7), and Determination that the Condition of the Stevens Creek Bank Erosion has been Repaired and an Emergency Condition no Longer Exists. (PREVIOUSLY LISTED AS ITEM 3.4) [17-0768](#)

Recommendation: A. Receive an update on the condition of the Stevens Creek bank erosion emergency project; and
B. Terminate the emergency action declared by the Chief Executive Officer (CEO) on August 18, 2017, pursuant to California Public Contract Code §22050, to repair Stevens Creek bank erosion, downstream of El Camino Real, (SR-82) (Project) Project No. 62062003 (El Nino Flood Emergency Response), Task Code No. 1062, Facility ID No. 1029, (Mountain View) (District 7).

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 10 Minutes

7. EXTERNAL AFFAIRS:

- 7.1. Presentation on the Status and Development of the Web Modernization Project. [17-0694](#)

Recommendation: Receive the presentation from staff and the web development consultant.

Manager: Rick Callender, 408-630-2017

Est. Staff Time: 15 Minutes

8. CHIEF EXECUTIVE OFFICER:

- 8.1. Chief Executive Officer Report.

9. ADMINISTRATION:

- 9.1. Workforce Development Report. [17-0291](#)

Recommendation: Accept the Workforce Development Report.

Manager: Anil Comelo, 408-630-2470

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

Est. Staff Time: 30 Minutes

- *9.2. Report of Bids Received and Award of Construction Contract for the Board Room Audiovisual Modernization Project, Project No. 73274010, Contract No. C0634 (San Jose) (District No. 4).

[17-0695](#)

Recommendation:

- A. Ratify Addenda No(s). 1 and 2 to the Contract Documents for the Board Room Audiovisual Modernization Project;
- B. Waive minor irregularities in Conti Corporation bid;
- C. Select and approve the Bid Option to be awarded to Conti Corporation

Bid Option 1. - \$506,443

Boardroom (room A-120) and Prefunction Lobby (room A-107), Free-standing flat screen monitors facing the boardroom dais (room A-120).

Bid Option 2. - \$501,521

Boardroom (room A-120) and Prefunction Lobby (room A-107), Flat screen monitors on the boardroom dais (room A-120).

Bid Option 3. - \$522,776

Boardroom (room A-120) and Prefunction Lobby (room A-107), Free-standing flat screen monitors facing the boardroom dais (room A-120). Chambers Conference Room (A-124) and Chambers Lobby (A-126).

Bid Option 4.- \$535,553

Boardroom (room A-120) and Prefunction Lobby (room A-107), Free-standing flat screen monitors facing the boardroom dais (room A-120). Chambers Conference Room (A-124) and Chambers Lobby (A-126), and Chiefs Conference Room (A-173).

Bid Option 5. - \$517,854

Boardroom (room A-120) and Prefunction Lobby (room A-107), Flat screen monitors on the boardroom dais (room A-120), Chambers Conference Room (A-124) and Chambers Lobby (A-126).

Bid Option 6. - \$530,631

Boardroom (room A-120) and Prefunction Lobby (room A-107), Flat screen monitors on the boardroom dais (room A-120), Chambers Conference Room (A-124) and Chambers Lobby (A-126) and Chiefs Conference Room (A-173).

- D. Award the Contract to Conti Corporation, located in Sacramento, in the sum of the Bid Option chosen by the Board; and
- E. Approve a contingency sum of fifteen percent (15%) of the

selected Bid Option and authorize the Chief Executive Officer (CEO) or designee to approve individual change orders up to the designated amount.

Manager: Anil Comelo, 408-630-2470

Attachments: [Attachment 1: Project Delivery Schematic](#)
[Attachment 2: Addendum No. 1](#)
[Attachment 3: Addendum No. 2](#)
[Attachment 4: Agreement](#)

10. DISTRICT COUNSEL:

11. ADJOURN:

- 11.1. Board Member Reports/Announcements.
- 11.2. Clerk Review and Clarification of Board Requests.
- 11.3. Adjourn to the 12:00 p.m. Closed Session and 1:00 p.m. Regular Meeting, on December 12, 2017, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.