



Santa Clara Valley Water District Board of Directors Meeting

Headquarters Building Boardroom
5700 Almaden Expressway
San Jose, CA 95118

***AMENDED/APPENDED**
11:00AM CLOSED SESSION & 1:00PM AMENDED
REGULAR MEETING
AGENDA

Tuesday, April 10, 2018
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

Richard P Santos, Chair, District 3
Linda J LeZotte, Vice Chair, District 4
John L Varela, District 1
Barbara Keegan, District 2
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, April 10, 2018

11:00 AM

Headquarters Building Boardroom

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

[18-0229](#)

CONFERENCE WITH LABOR NEGOTIATORS

Government Code section 54957.6

Agency designated representatives: Norma Camacho, Anil Comelo

Unrepresented employees: All unclassified employee classifications

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.

1:00 PM

- *2.6. Public Hearing - Annual Report on the Protection and Augmentation of Water Supplies - February 2018 and Recommended Groundwater Production and Other Water Charges for Fiscal Year 2018-2019 (FY 2018-19). [18-0297](#)

- Recommendation:
- A. Conduct a public hearing pursuant to Section 26.6 of the District Act to consider the District FY 2018-19 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 12, 2018 special meeting, at 7:00 pm.

Manager: Nina Hawk, 408-630-2736

Attachments: [Attachment 1: Staff Report](#)
[Attachment 2: PowerPoint](#)
[Attachment 3: SCVWD Resolution No. 12-10](#)
[Attachment 4: SCVWD Resolution No. 12-11](#)
[*041018 Item 2.6-A - Handout, K Irvin](#)

Est. Staff Time: 10 Minutes

- 2.7. Public Hearing on the Proposed Modifications to Project A2: Safe, Clean Water Partnerships and Grants (Nitrate Treatment System Rebate Program); and Project E4: Upper Penitencia Creek Flood Protection of the Safe, Clean Water and Natural Flood Protection Program. [18-0220](#)

Recommendation: A. Conduct the public hearing on the proposed modifications to Project A2: Safe, Clean Water Partnerships and Grants (Nitrate Treatment System Rebate Program); and Project E4: Upper Penitencia Creek Flood Protection of the Safe, Clean Water and Natural Flood Protection Program;

B. Adopt the resolution APPROVING MODIFICATION TO THE NITRATE TREATMENT SYSTEM REBATE PROGRAM OF THE SAFE, CLEAN WATER PARTNERSHIPS AND GRANTS OF THE SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM; and

C. Adopt the resolution APPROVING MODIFICATION TO THE UPPER PENITENCIA CREEK FLOOD PROTECTION PROJECT OF THE SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Nitrate Treatment System Rebate Program](#)
[Attachment 2: Upper Penitencia Creek Project Text Modifications](#)
[Attachment 3: Resolution Nitrate Treatment System](#)
[Attachment 4: Resolution Upper Penitencia Creek](#)
[Attachment 5: Sample Ad and Schedule](#)

Est. Staff Time: 15 Minutes

- 2.8. Update on United States Army Corps of Engineers (USACE) Partnership Projects. [18-0136](#)

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

- 2.9. District's Capital Improvement Program Fiscal Year 2017-18 Progress Report for Watersheds Capital Projects. [18-0137](#)

Recommendation: A. Receive information from staff on the FY2017-18 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
Katherine Oven, 408-630-3126

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 20 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 Recognizing Sunday, April 22, 2018 as Earth Day. [18-0127](#)

Recommendation: Adopt the Resolution RECOGNIZING APRIL 22, 2018 AS EARTH DAY.

Manager: Katherine Oven, 408-630-3126

Attachments: [Attachment 1: Resolution](#)

- 3.2. Designation of Impartial Third Party to Oversee Validation and Tabulation of Written Protests for Fiscal Year 2018-2019 Groundwater Production and Surface Water Charges. [18-0114](#)

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: SCVWD Resolution Nos. 12-10, 12-11](#)
[Attachment 2: Uhlenberg Proposal](#)

- 3.3. Adopt Plans and Specifications and Authorize Advertisement for Bids for Construction of the Cunningham Flood Detention Facility Certification Project, Project No. 40264011, Contract No. C0641 (San Jose) (District 1). [18-0097](#)

Recommendation: A. Adopt Plans and Specifications and Authorize Advertisement for Bids for Construction of the Cunningham Flood Detention Facility Certification Project per the Notice to Bidders; and
B. Authorize the Designated Engineer to issue addenda, as necessary, during the bidding process.

Manager: Ngoc Nguyen, 408-630-2632

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

Est. Staff Time: 10 Minutes

- 3.4. Membership Nomination for Committee Appointment to the Agricultural Water Advisory Committee. [18-0176](#)

Recommendation: Consider nomination for a two-year membership appointment of Sandra Carrico to the Agricultural Water Advisory Committee.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: Carrico Application](#)
[Attachment 2: SCVWD Resolution No. 15-28](#)

- 3.5. Bacon Island Levee Rehabilitation Project - Resolution Making [18-0213](#)
Responsible Agency Findings.
- Recommendation: A. Consider the Initial Study/Mitigated Negative Declaration for the Bacon Island Levee Rehabilitation Project prepared by Reclamation District 2028 as the Lead Agency.
- B. Adopt the Resolution, MAKING RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT TO USE THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION PREPARED BY THE LEAD AGENCY TO APPROVE FUNDING A PORTION OF THE COSTS OF THE BACON ISLAND LEVEE REHABILITATION PROJECT.
- C. Authorize the Chief Executive Officer, or designee, to approve funding a portion of the Project in accordance with a previously-executed cost share agreement.
- Manager: Garth Hall, 408-630-2750
- Attachments: [Attachment 1: Mitigated Negative Declaration](#)
[Attachment 2: Resolution](#)
[Attachment 3: Letter of Mutual Understanding](#)
- 3.6. Providing Notice of Time and Place of Public Hearing Regarding Flood Control Benefit Assessments for Fiscal Year 2018-2019 (FY 2018-19). [18-0205](#)
- Recommendation: Set a time and place for the public hearing on Flood Control Benefit Assessments for FY 2018-19 at 1:00 p.m. on May 8, 2018, at the Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose, California.
- Manager: Melanie Richardson, 408-630-2035
- Attachments: [Attachment 1: Flood Control Benefit Assessment Report](#)
[Attachment 2: Notice of Public Hearing](#)
- *3.7. Item Moved to April 24, 2018 Agenda.

- 3.8. Update on the Condition of the Almaden Valley Pipeline Inspection and Rehabilitation Project, and Determine that the Condition of the Almaden Valley Pipeline Continues to Constitute an Emergency (San Jose, Los Gatos, Unincorporated Santa Clara County) (Districts 4 and 7). [18-0202](#)

Recommendation: A. Receive an update on the Almaden Valley Pipeline Inspection and Rehabilitation Project; and

B. Determine by a four-fifths vote of the Board, that there is a need to continue the emergency action declared by the Chief Executive Officer (CEO) on December 5, 2017, pursuant to California Public Contract Code §22050, to repair the Almaden Valley Pipeline (San Jose, Los Gatos, Unincorporated Santa Clara County) (Districts 4 and 7).

Manager: Kurt Arends, 408-630-2284

Attachments: [Attachment 1: Emergency Declaration](#)

Est. Staff Time: 5 Minutes

- *3.9. CEO Bulletins for the Weeks of March 23-29, and March 30 - April 5, 2018. [18-0236](#)

Recommendation: Accept the CEO Bulletins.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: 032918 CEO Bulletin](#)
[*Attachment 2: 040518 CEO Bulletin](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

4.1. Board Committee Reports.

5. WATER UTILITY ENTERPRISE:

5.1. Water Supply Master Plan Update.

[16-0415](#)

- Recommendation: A. Receive and discuss information on alternative water supply strategies;
- B. Receive and discuss stakeholder input on water supply projects and alternative water supply strategies; and
- C. Receive and discuss preliminary cost of shortage analysis as it pertains to the District's water supply reliability level of service goal.

Manager: Garth Hall, 408-630-2750

Attachments: [Attachment 1: PowerPoint](#)
[Attachment 2: Project List](#)
[Attachment 3: Stakeholder Workshops Summary](#)

Est. Staff Time: 20 Minutes

5.2. Agreement with Environmental Science Associates for Environmental and Permitting Services for the Expedited Purified Water Program Project, Project No. 91304001 (San Jose, Santa Clara, and Campbell) (Districts 2, 3, 4).

[18-0154](#)

Recommendation: Approve the Agreement with Environmental Science Associates for Environmental and Permitting Services for a not-to-exceed fee of \$1,786,624.

Manager: Katherine Oven, 408-630-3126

Attachments: [Attachment 1: Agreement](#)

Est. Staff Time: 5 Minutes

5.3. Update for the Anderson Dam Seismic Retrofit Project - Project No. 91864005 (Morgan Hill) (District 1).

[18-0198](#)

Recommendation: Receive an update on the environmental and permitting strategy for the Anderson Dam Seismic Retrofit Project.

Manager: Katherine Oven, 408-630-3162

Attachments: [Attachment 1: PowerPoint](#)
[Attachment 2: Project Permit Requirements](#)

Est. Staff Time: 10 Minutes

6. WATERSHEDS:

7. EXTERNAL AFFAIRS:

8. CHIEF EXECUTIVE OFFICER:

8.1. CEO and Chiefs' Report.

9. ADMINISTRATION:

10. DISTRICT COUNSEL:

11. ADJOURN:

11.1. Board Member Reports/Announcements.

11.2. Proposed Future Board Member Agenda Items.

11.3. Clerk Review and Clarification of Board Requests.

11.4. Adjourn to Special Meeting at 7:00 p.m., on April 12, 2018, in the City of Gilroy Council Chambers, 7351 Rosanna Street, Gilroy, California.