



Santa Clara Valley Water District Board of Directors Meeting

Headquarters Building Boardroom
5700 Almaden Expressway
San Jose, CA 95118

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

Tuesday, November 27, 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 Act.

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

***AMENDED/APPEDED
AGENDA**

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Tuesday, November 27, 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

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

SCVWD v. San Francisco Bay Regional Water Quality Control Board

Contra Costa County Superior Court, Case No. MSN17-1822

[18-0972](#)

2.2. CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL
EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a)

[18-1047](#)

Great Oaks Water Co v. SCVWD
California 6th Appellate District, Case No. H035260

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 107CV087884

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 108CV119465

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 108CV123064

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 109CV146018

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 110CV178947

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 111CV205462

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 112CV228340

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 113CV249349

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 115CV281385

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 116CV292097

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 117CV308140

Great Oaks Water Co. v. SCVWD
Santa Clara County Superior Court Case No. 118CV327641

1:00 PM

2.3. District Counsel Report.

2.4. Pledge of Allegiance/National Anthem.

2.5. Orders of the Day.

A. *Approximate Discussion Time (Board); and*

B. *Adjustments to the Order of Agenda Items.*

2.6. 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.

3. CONSENT CALENDAR: (3.1 - 3.5) (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. Claim of Bertrand Teplitzky.

[18-0924](#)

Recommendation: Deny the claim.

Manager: Stan Yamamoto, 408-630-2755

Attachments: [Attachment 1: Claim](#)

*3.2. ITEM REMOVED FROM AGENDA--Membership Nomination for Committee Appointment to the Santa Clara Valley Water District Youth Commission (Youth Commission).

- 3.3. Membership Nomination for Committee Appointment and Re-appointments to the Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee. [18-1002](#)

Recommendation: A. Consider nomination of Virginia Holtz for a two-year membership appointment to Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee; and
B. Consider re-appointments of Carmen Montano, Bill Hoeft, Dan McCorquodale and Tess Byler, to the Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: SCVWD Resolution No. 13-61](#)
[Attachment 2: V. Holtz Application](#)

- 3.4. Membership Nominations for Committee Appointments to the Agricultural Water Advisory Committee and Environmental and Water Resources Committee. [18-1042](#)

Recommendation: A. Consider nominations for two-year membership re-appointments of Russ Bonino, Mitchell Mariani, James Provenzano, William Cilker, David Vanni, Jan Garrod, Michael Miller, and Robert Long to the Agricultural Water Advisory Committee; and
B. Consider nominations for two-year membership re-appointments of Bonnie Bamburg, Loren Lewis, Rita Norton, Charles Taylor, John Bourgeois, Bob Levy, Tara Martin-Milius, Sachihiko (Mike) Michitaka, Marc Rauser, Tess Byler, Steven Jordan, and Arthur M. Keller, Ph.D., to the Environmental and Water Resources Committee.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: SCVWD Resolution 15-28](#)

- *3.5. CEO Bulletin for the Week of November 16-22, 2018. [18-1039](#)

Recommendation: Accept the CEO Bulletin.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: 112218 CEO Bulletin](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

- 4.1. Fiscal Year 2019 Board Policy Planning and Performance Monitoring Calendars. [18-0844](#)

Recommendation: Review, discuss, and revise the Fiscal Year 2019 Board Policy Planning and Performance Monitoring Calendars.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: FY19 Polichy Planning Calendar](#)
[Attachment 2: FY19 Performance Monitoring Calendar](#)

Est. Staff Time: 5 Minutes

- *4.2 Board Committee Reports. [18-1076](#)

A. Delta Conveyance Design and Construction Authority Update.

B. Delta Conveyance Finance Authority Update.

*C. Capital Improvement Program Committee

Attachments: [Attachment 1: 111918 Chair Meeting Summary](#)

5. WATER UTILITY ENTERPRISE:

- 5.1. Planning for Fiscal Year 2019-20 Groundwater Production Charges. [18-0919](#)

Recommendation: A. Discuss planning for Fiscal Year 2019-20 Groundwater Production Charges and provide direction to staff on projection scenarios and on the fixed charge evaluation; and
B. Rescind Resolution 12-11, AN AMENDED AND RESTATED RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA CLARA VALLEY WATER DISTRICT ADOPTING PROCEDURES FOR THE IMPOSITION OF GROUNDWATER PRODUCTION CHARGES.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: Powerpoint](#)
[Attachment 2: SCVWD Resolution No. 99-21](#)
[Attachment 3: SCVWD Resolution No. 12-10](#)
[Attachment 4: SCVWD Resolution No. 12-11](#)

Est. Staff Time: 30 Minutes

6. WATERSHEDS:

- 6.1. Proposed Pilot Project for Using Unmanned Aerial Vehicles in Land Surveying and Mapping Activities (County-wide). [18-0960](#)

Recommendation: Authorize staff to implement a 6-month pilot project for using Unmanned Aerial Vehicles in land surveying and mapping activities.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Public Notice](#)
[Attachment 2: PowerPoint](#)

Est. Staff Time: 5 Minutes

7. EXTERNAL AFFAIRS:

- 7.1. Update on the Programs and Activities of the Office of Civic Engagement. [18-0879](#)

Recommendation: Receive information and updates on the programs and activities of the Office of Civic Engagement.

Manager: Rick L. Callender, 408-630-2017

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 10 Minutes

- 7.2. Update on Education Outreach's Outdoor Classroom Program. [18-0918](#)

Recommendation: Receive information on educational programming at the District's outdoor classrooms.

Manager: Rick L. Callender, 408-630-2017

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 10 Minutes

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 3:00 p.m. Special Meeting on December 5, 2018, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.