



## Santa Clara Valley Water District Board of Directors Meeting

Headquarters Building Boardroom  
5700 Almaden Expressway  
San Jose, CA 95118

**\*AMENDED/APPENDED**  
**4:00 PM CLOSED SESSION AND**  
**6:00 PM REGULAR MEETING**  
**AGENDA**

**Tuesday, January 22, 2019**  
**4:00 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**

Linda J. LeZotte, Chair, District 4  
Nai Hsueh, Vice Chair, District 5  
John L. Varela, District 1  
Barbara Keegan, District 2  
Richard P. Santos, District 3  
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](http://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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6:00 PM REGULAR MEETING AGENDA**

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Tuesday, January 22, 2019

4:00 PM

Headquarters Building Boardroom

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**1. CALL TO ORDER:**

1.1. Roll Call.

**2. TIME CERTAIN:**

**4:00 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  
EXISTING LITIGATION

[19-0017](#)

Government Code Section 54956.9(d)(1)  
Tanya Ruiz v. Santa Clara Valley Water Dist., et al.  
Santa Clara County Superior Court, Case No. 115CV288721

2.2. CLOSED SESSION  
THREATENED LITIGATION

[19-0019](#)

Government Code Section 54956.9(d)(2) (One Potential Case)

2.3. CLOSED SESSION  
PUBLIC EMPLOYEE PERFORMANCE EVALUATION

[19-0040](#)

Pursuant to Government Code Section 54957(b)(1)  
Title: CEO, District Counsel and Clerk of the Board

**6:00 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.

[19-0098](#)

Attachments: [\\*Attachment 1: 012219 Handout 2.7-A Fry](#)

*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. Santa Clara Valley Water District Government Relations Program Update and Legislative Outlook.

[18-0939](#)

- Recommendation:
- A. Receive information on the 2018 Santa Clara Valley Water District (District) government relations advocacy and stakeholder engagement program; and
  - B. Provide input on current and future challenges, goals, and accomplishments since the last presentation to the Board of Directors.

Manager: Rachael Gibson, 408-630-2884

Attachments: [Attachment 1: 2019 Leg. Guiding Principles and Policy Proposals](#)  
[Attachment 2: Key Legislation and Ballot Measures](#)  
[Attachment 3: Tours, Community Events, and Sponsorships](#)  
[Attachment 4: PowerPoint](#)

Est. Staff Time: 10 Minutes

**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. Adopt Plans and Specifications and Authorize Advertisement for Bids for San Francisquito Creek Mitigation Planting and Establishment Maintenance Project, Project No. 26284002, Contract No. C0644 (Palo Alto) (District 7). [18-1098](#)

Recommendation: A. Adopt the Plans and Specifications and Authorize Advertisement for Bids for San Francisquito Creek Mitigation Planting and Establishment Maintenance Project, Project No. 262840002, Contract No. C0644, per the Notice to Bidders; and

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

Manager: Ngoc Nguyen, 408-630-2632

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

- 3.2. Amendment No. 2 to Agreement No. A4055F, with Kadesh and Associates for Federal Lobbying Services, for a Total Funding Amount During the Approximate Three-Year Period (March 9, 2017, Through February 28, 2020) for a Not-to-Exceed Fee of \$338,400. [18-1118](#)

Recommendation: Approve and authorize the CEO to execute Amendment No. 2 to Agreement No. A4055F, with Kadesh and Associates for Federal Lobbying Services, for a total funding amount during the approximate three-year period (March 9, 2017, through February 28, 2020) for a not-to-exceed fee of \$338,400.

Manager: Rachael Gibson, 408-630-2884

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

- 3.3. Claim of Daniel Liu. [18-1135](#)

Recommendation: Deny the claim.

Manager: Stan Yamamoto, 408-630-2755

Attachments: [Attachment 1: Claim](#)

- \*3.4. CEO Bulletins for the Weeks of January 4-10 and 11-17, 2019. [19-0064](#)

Recommendation: Accept the CEO Bulletins.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: 011019 CEO Bulletin](#)  
[\\*Attachment 2: 011719 CEO Bulletin](#)

\*3.5. Approval of Minutes.

[19-0065](#)

Recommendation: Approve the minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 120518 Special Meeting Minutes](#)  
[Attachment 2: 121118 Regular Meeting Minutes](#)  
[Attachment 3: 121218 9:00 a.m. Special Joint Meeting Minutes \(C](#)  
[Attachment 4: 121218 12:30 p.m. Closed Session and Special Me](#)  
[Attachment 5: 121318 Special Joint Meeting Minutes \(County Boa](#)  
[Attachment 6: 121718 3:30 p.m. Closed Session and Special Mee](#)  
[\\*Attachment 7: 121718 6:00 p.m. Special Joint Meeting Minutes](#)  
[\\*Attachment 8: 010419 Closed Session and Special Meeting Minu](#)

**REGULAR AGENDA:**

**4. BOARD OF DIRECTORS:**

\*4.1. Compensation Adjustments for the District Counsel.

[19-0042](#)

Recommendation: A. Consider and determine compensation adjustments, if any, for the District Counsel; and

B. Adopt the Resolution PROVIDING FOR THE COMPENSATION OF THE DISTRICT COUNSEL, A BOARD APPOINTED OFFICER OF THE SANTA CLARA VALLEY WATER DISTRICT, and approve the Amendment to the Employment Agreement Between the Santa Clara Valley Water District and Stanly Yamamoto, consistent with Board-approved compensation adjustments.

Manager: Anna Noriega, 408-630-3089

Attachments: [Attachment 1: Resolution & Amend. to Employment Agreement To](#)  
[\\*Handout 4.1-A - D Muirhead](#)

Est. Staff Time: 5 Minutes

4.2. Compensation Adjustments for the Clerk of the Board.

[19-0043](#)

- Recommendation:
- A. Consider and determine compensation adjustments, if any, for the Clerk of the Board; and
  - B. Adopt the Resolution PROVIDING FOR THE COMPENSATION OF THE CLERK OF THE BOARD, BOARD APPOINTED OFFICER OF THE SANTA CLARA VALLEY WATER DISTRICT, and approve the Amendment to the Employment Agreement Between the Santa Clara Valley Water District and Michele L. King, consistent with Board-approved compensation adjustments.

Manager: Anna Noriega, 408-630-3089

Attachments: [Attachment 1: Resolution & Amend. to Employment Agreement To](#)

Est. Staff Time: 5 Minutes

4.3. Compensation Adjustments for Chief Executive Officer.

[19-0044](#)

- Recommendation:
- A. Consider and determine compensation adjustments, if any, for the Chief Executive Officer; and
  - B. Adopt the Resolution PROVIDING FOR THE COMPENSATION OF THE CHIEF EXECUTIVE OFFICER, A BOARD APPOINTED OFFICER OF THE SANTA CLARA VALLEY WATER DISTRICT, and approve the Amendment to the Employment Agreement Between the Santa Clara Valley Water District and Norma J. Camacho, consistent with Board-approved compensation adjustments.

Manager: Anna Noriega, 408-630-3089

Attachments: [Attachment 1: Resolution & Amend. to Employment Agreement To](#)

Est. Staff Time: 5 Minutes

\*4.4. Review of 2019 Board Committee Appointments.

[19-0068](#)

- Recommendation:
- A. \*Review and approve the proposed 2019 Board Committee appointments as submitted by 2019 Board Chair;
  - B. Appoint new Board Committee Representatives, as necessary;
  - C. Review, revise if necessary, and approve individual Board Committee purpose descriptions; and
  - D. Create or disband Board Committee, as necessary.

Manager: Michele King, 408-630-2711

Attachments: [Original Board Agenda Memo](#)  
[Original Attachment 1: Current Board Committee Appointments](#)  
[\\*Supplemental Agenda Memo](#)  
[\\*Supplemental Attachment 1: 2019 Board Chair Committee Appointments](#)  
[\\*Handout 4.4-A - D. Muirhead](#)  
[\\*Handout 4.4-B - D. Muirhead](#)

Est. Staff Time: 5 Minutes

4.5. Fiscal Year 2019 Board Policy Planning and Performance Monitoring Calendars.

[18-1150](#)

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 Policy Planning Calendar](#)  
[Attachment 2: FY19 Performance Monitoring Calendar](#)

Est. Staff Time: 5 Minutes

\*4.6. Board Committee Reports.

[19-0106](#)

- A. Delta Conveyance Design and Construction Authority Update.
- B. Delta Conveyance Finance Authority Update
- \*C. Capital Improvement Program Committee.

Attachments: [\\*Handout 4.6-A - 011419 CIP Chair Meeting Summary](#)

**5. WATER UTILITY ENTERPRISE:**



\*5.1. State Water Project Tax Discussion (Continued from December 5, 2018). [19-0009](#)

Recommendation: Consider information provided by staff and provide policy direction as necessary.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: Powerpoint](#)  
[Attachment 2: Letter from City of Palo Alto](#)  
[\\*Handout 5.1-A - K Irvin](#)

Est. Staff Time: 10 Minutes

5.2. Climate Change Mitigation - Update on Progress Towards Carbon Neutrality by 2020. [18-0449](#)

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

Manager: Kurt Arends, 408-630-2284

Attachments: [Attachment 1 PowerPoint](#)  
[Attachment 2: Methodology](#)  
[Attachment 3: Status of Energy Optimization Plan](#)

Est. Staff Time: 10 Minutes

5.3. California WaterFix Update. [19-0011](#)

Recommendation: Receive an update on California WaterFix.

Manager: Garth Hall, 408-630-2750

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 10 Minutes

**6. WATERSHEDS:**

- 6.1. Resolution Authorizing the Exchange of Real Property Interests with Silicon Valley Club, LLC at Assessor Parcel Nos. 015-45-013 and 015-45-024, Real Estate File Nos. 3015-503.1, 3015-55.4 and 3015-684 (San Jose) (District 3) (Continued from January 8, 2019). [19-0052](#)

- Recommendation:
- A. Adopt the resolution AUTHORIZING EXCHANGE OF REAL PROPERTY RIGHTS WITH SILICON VALLEY CLUB, LLC ADJACENT TO GUADALUPE RIVER, ASSESSOR PARCEL NOS. 015-45-013 and 015-45-024, REAL ESTATE FILE NOS. 3015-503.1, 3015-55.4 and 3015-684;
  - B. Authorize the Chief Executive Officer (CEO) to execute the Santa Clara Valley Water District Real Property Exchange Agreement for District Real Estate File Nos. 3015-503.1, 3015-55.4 and 3015-684;
  - C. Authorize the CEO to accept the Easement Deed from Silicon Valley Club, LLC, District Real Estate File No. 3015-684; and
  - D. Authorize the CEO to execute the Quitclaim Deed to Silicon Valley Club, LLC, District Real Estate File Nos. 3015-503.1 and 3015-55.4.

Manager: Melanie Richardson, 408-630-2035

Attachments: [Attachment 1: Location Map](#)  
[Attachment 2: Resolution](#)  
[Attachment 3: Exchange Agreement](#)  
[Attachment 4: Quitclaim Deed](#)  
[Attachment 5: Easement Deed](#)  
[Attachment 6: Secretary of State Statement of Information \(LLC\)](#)

Est. Staff Time: 5 Minutes

**7. EXTERNAL AFFAIRS:**

**8. CHIEF EXECUTIVE OFFICER:**

- \*8.1. CEO and Chief's Report [19-0107](#)

Attachments: [\\*Handout 8.1-A - CEO 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 Regular Meeting at 1:00 p.m., on February 12, 2019, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.

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