



Santa Clara Valley Water District Board of Directors Meeting

Headquarters Building Boardroom
5700 Almaden Expressway
San Jose, CA 95118

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

Tuesday, February 12, 2019
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

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

Note: The finalized Board Agenda, exception items and supplemental items will be posted prior to the meeting in accordance with the Brown Act.

THIS PAGE INTENTIONALLY LEFT BLANK

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

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

***ITEMS AMENDED AND/OR APPENDED SINCE THE ORIGINAL PUBLICATION OF THIS AGENDA
ARE IDENTIFIED BY AN ASTERISK (*) HEREIN**

Tuesday, February 12, 2019	12:00 PM	Headquarters Building Boardroom
----------------------------	----------	---------------------------------

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 [19-0149](#)
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Tanya Ruiz v. SCVWD, et al

1:00 PM

- *2.2. District Counsel Report.
- *2.3. Pledge of Allegiance/National Anthem. (Previously Item 1.2)
- *2.4. Orders of the Day. (Previously Item 1.3)
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.
(Previously Item 1.4)

[19-0178](#)

Attachments: [*Handout 2.5-A - R. Fry Comment](#)
[*Handout 2.5-B - Rev. Moore Comment](#)

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. State of the District. (Chairperson Linda LeZotte) (Previously Item 2.1)

- *2.7. Application for Leave to File Late Claim of Susan Landry. (Previously Item 2.2)

[19-0131](#)

Recommendation: Approve the application to file a late claim.

Manager: Stan Yamamoto, 408-630-2755

Attachments: [Attachment 1: Claim](#)
[Attachment 2: Application for Leave for Late Filing](#)
[Attachment 3: Amended Application for Leave for Late Filing](#)

Est. Staff Time: 5 Minutes

3. CONSENT CALENDAR: (3.1 - 3.6) (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 Setting Time and Place of a Public Hearing on April 9, 2019, [19-0120](#)
for the Report on Activities in Protection and Augmentation of Water
Supplies of the District - 2019.

Recommendation: A. Adopt the Resolution CALLING A PUBLIC HEARING TO
CONSIDER COMMENTS FROM MEMBERS OF THE
PUBLIC ON THE REPORT ON THE ACTIVITIES IN THE
PROTECTION AND AUGMENTATION OF THE WATER
SUPPLIES OF THE SANTA CLARA VALLEY WATER
DISTRICT, 2019; and

B. Set time and place for public hearing to occur on April 9,
2019 at 1:00 p.m., at the Santa Clara Valley Water
District Board Chambers, 5700 Almaden Expressway,
San Jose, CA 95118.

Manager: Nina Hawk, 408-630-2736

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

- 3.2. Notice of Completion of Contract and Acceptance of Work for the Coyote [19-0045](#)
Creek Levee Rodent Damage Repair Project, Downstream of State Route
237, Granite Rock Company, Contractor, Project No. 62084001, Contract
No. C0637 (Milpitas) (District 3).

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 at the Santa Clara County
Clerk-Recorder.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Notice of Completion and Acceptance of Work](#)
[Attachment 2: Construction Contract Acceptance](#)
[Attachment 3: Project Completion Letter](#)
[Attachment 4: Construction Summary](#)
[Attachment 5: Project Delivery Process Chart](#)

- 3.3. Notice of Completion of Contract and Acceptance of Work for the Coyote Creek Levee Rodent Damage Repair Project, Upstream of State Route 237, PMK Contractors LLC, Contractor, Project No. 62084001, Contract No. C0639 (San Jose) (District 3). [19-0097](#)

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 at the Santa Clara County Clerk-Recorder.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Notice of Completion and Acceptance of Work](#)
 [Attachment 2: Construction Contract Acceptance](#)
 [Attachment 3: Project Completion Letter](#)
 [Attachment 4: Construction Summary](#)
 [Attachment 5: Project Delivery Process Chart](#)

- 3.4. Semi-Annual Lobbyist Report of Individuals Engaged in Compensated Lobbying Activities Aimed at Influencing District Decisions, in Accordance With District Ordinance 10-01. [19-0080](#)

Recommendation: Receive the Semi-Annual Lobbyist Report of Individuals Engaged in Compensated Lobbying Activities for the period July 1, 2018 through December 31, 2018.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: Lobbyist Report](#)

- *3.5. CEO Bulletins for the Weeks of January 18 - 24 and 25 - 31, and February 1 - 7, 2019. [19-0143](#)

Recommendation: Accept the CEO Bulletins.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: 012419 CEO Bulletin](#)
 [Attachment 2: 013119 CEO Bulletin](#)
 [*Attachment 3: 020719 CEO Bulletin](#)

*3.6. Approval of Minutes.

[19-0099](#)

Recommendation: Approve the minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 010819 Regular Meeting Minutes](#)
[Attachment 2: 010919 Special Meeting Minutes](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

4.1. Board Committee Reports.

- A. *Delta Conveyance Design and Construction Authority Update.*
- B. *Delta Conveyance Finance Authority Update.*

5. WATER UTILITY ENTERPRISE:

5.1. Sites Project Authority 2019 Reservoir Project Agreement for Continued District Participation in the Sites Reservoir Project.

[19-0062](#)

- Recommendation:
- A. Receive update and report on the Sites Reservoir Project;
 - B. Authorize the CEO to execute the Sites Project Authority 2019 Reservoir Project Agreement for Phase 2 Year 1 participation;
 - C. Authorize the District to participate in funding Phase 2 Year 1 Sites Reservoir Project costs, and decide on the specific participation level (up to 4.8%); and
 - D. Direct staff to continue engagement in Sites Reservoir Committee and negotiate future funding participation to include stronger governance role.

Manager: Garth Hall, 408-630-2750

Attachments: [Attachment 1: 2019 Reservoir Project Agreement](#)
[Attachment 2: Exhibit A, Project Agreement Members List \(Copy\)](#)
[Attachment 3: Joint Powers Agreement](#)
[Attachment 4: Project Map](#)
[Attachment 5: Sites Authority and Reservoir Committee Structure](#)
[Attachment 6: Project Overview-Phase Level Schedule](#)
[Attachment 7: List of Sites Project Supporters](#)
[Attachment 8: PowerPoint](#)

Est. Staff Time: 5 Minutes

- 5.2. Preliminary Fiscal Year 2019-20 Groundwater Production Charge Analysis Update. [19-0110](#)

Recommendation: Discuss and provide direction on the preliminary Fiscal Year 2019-20 Groundwater Production Charge analysis prepared by staff.

Manager: Nina Hawk, 408-630-2736
Darin Taylor, 408-630-3068

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 10 Minutes

6. WATERSHEDS:

7. EXTERNAL AFFAIRS:

8. CHIEF EXECUTIVE OFFICER:

- 8.1. Update on Pension and Other Post-Employment Benefits Unfunded Liabilities. [19-0046](#)

Recommendation: Receive information on the status of pension and Other Post-Employment Benefit unfunded liabilities and provide direction to staff as necessary.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 5 Minutes

- 8.2. Overview of the Fiscal Year 2019-20 First Pass Budget Development Process. [18-1151](#)

Recommendation: Receive and discuss the overview of the District's Fiscal Year 2019-20 First Pass Budget Development Process.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 10 Minutes

- 8.3. CEO and Chiefs' Report.

9. ADMINISTRATION:

10. DISTRICT COUNSEL:

11. ADJOURN:

- 11.1. Board Member Reports/Announcements.
 - A. *Video of Completed San Francisquito Creek Project. (Director Kremen)*
- 11.2. Proposed Future Board Member Agenda Items.
- 11.3. Clerk Review and Clarification of Board Requests.
- 11.4. Adjourn to Regular Meeting at 6:00 p.m., on February 26, 2019, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.

THIS PAGE INTENTIONALLY LEFT BLANK