



## Santa Clara Valley Water District Board of Directors Meeting

Headquarters Building Boardroom  
5700 Almaden Expressway  
San Jose, CA 95118

**\*AMENDED/APPENDED**  
**11:00 A.M. CLOSED SESSION AND 1:00 P.M. REGULAR**  
**MEETING**  
**AGENDA**

**Tuesday, April 9, 2019**  
**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**

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.**

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

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AGENDA**

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Tuesday, April 9, 2019

11:00 AM

Headquarters Building Boardroom

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**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 [19-0364](#)  
CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION  
Significant exposure to litigation  
Pursuant to Government Code Section 54956.9(d)(2)  
One potential case

**1:00 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. Public Hearing - Annual Report on the Protection and Augmentation of Water Supplies - February 2019 and Recommended Groundwater Production and Other Water Charges for Fiscal Year 2019-2020 (FY 2019-20).

[19-0322](#)

Recommendation:

- A. Conduct a public hearing pursuant to Section 26.6 of the District Act to consider the District FY 2019-20 Annual Report on the Protection and Augmentation of Water Supplies, and direct staff to review such report with, and solicit comments from Valley Water'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 11, 2019 special meeting, at 7:00 pm.

Manager: Nina Hawk, 408-630-2736

Attachments: [Attachment 1: Staff Report](#)  
[Attachment 2: PowerPoint](#)  
[Attachment 3: SCVWD Resolution 12-10](#)

Est. Staff Time: 20 Minutes

**3. CONSENT CALENDAR: (3.1 - 3.10) (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. Notice of Completion of Contract and Acceptance of Work for the [19-0316](#)  
Almaden Valley Pipeline Inspection and Rehabilitation Project, Con-Quest  
Contractors, Inc., Contractor, Project No. 95084002, Contract No. C0631  
(San Jose, Los Gatos, Unincorporated Santa Clara County) (Districts 4  
and 7).

Recommendation:      A. Accept the work as complete on the Almaden Valley  
Pipeline Inspection and Rehabilitation Project,  
Con-Quest Contractors, Inc., Contractor, Project No.  
95084002, Contract No. C0631; 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 County of Santa Clara Office  
of the Clerk-Recorder.

Manager: Katherine Oven, 408-630-3126

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](#)

- 3.2. Notice of Completion of Contract and Acceptance of Work for the [19-0317](#)  
Almaden Valley Pipeline Emergency Response Support Project,  
Con-Quest Contractors, Inc., Contractor, Project No. 95084002, Contract  
No. C0640 (San Jose, Unincorporated Santa Clara County) (Districts 4  
and 7).

Recommendation:      A. Accept the work as complete on the Almaden Valley  
Pipeline Emergency Response Support Project,  
Con-Quest Contractors, Inc., Contractor, Project No.  
95084002, Contract No. C0640; 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 County of Santa Clara Office  
of the Clerk-Recorder.

Manager: Katherine Oven, 408-630-3126

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

- 3.3. Budget Adjustment, Increase to the Construction Contract Contingency Sum, and Notice of Completion of Contract and Acceptance of Work for the Permanente Creek Flood Protection Project - Permanente Creek Channel Improvements, Robert A. Bothman Construction, Inc., Contractor, Project No. 26244001, Contract No. C0625 (Mountain View, Los Altos) (District 7). [19-0319](#)

Recommendation:

- A. Approve a budget adjustment transferring an amount of \$708,223.83 from Fund 26 Operating and Capital Reserves to the Permanente Creek Flood Protection Project, Project No. 26244001, Fund 26;
- B. Approve an increase of \$108,223.83 to the construction contract contingency sum for the Permanente Creek Flood Protection Project - Permanente Creek Channel Improvements;
- C. Accept the work as complete for the Permanente Creek Flood Protection Project - Permanente Creek Channel Improvements, Robert A. Bothman Construction, Inc., Contractor, Project No. 26244001, Contract No. C0625; and
- D. Direct the Clerk of the Board to sign the Notice of Completion of Contract and Acceptance of Work and submit for recording to the County of Santa Clara Office of the Clerk-Recorder.

Manager: Ngoc Nguyen, 408-630-2632

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

- 3.4. Adopt Plans and Specifications and Authorize Advertisement for Bids for Construction of the Uvas Creek Levee Rehabilitation Project Phase 2, Project No. 62084001, Task No. 5175, Contract No. C0648, (Gilroy) (District 1). [19-0293](#)

Recommendation:     A. Adopt Plans and Specifications and Authorize Advertisement for Bids for Construction of the Uvas Creek Levee Rehabilitation Project Phase 2 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: Project Location Map](#)  
                              [Attachment 2: Notice to Bidders](#)  
                              [Attachment 3: Project Delivery Process Chart](#)

- 3.5. Resolution Recognizing April 22, 2019 as Earth Day. [19-0335](#)

Recommendation:   Adopt the Resolution RECOGNIZING APRIL 22, 2019 AS EARTH DAY.

Manager:               Katherine Oven, 408-630-3126

Attachments:         [Attachment 1: Resolution](#)

- 3.6. Designation of Impartial Third Party to Oversee Validation and Tabulation of Written Protests for Fiscal Year 2019-2020 Surface Water Charges. [19-0336](#)

Recommendation:   Designate the Clerk of the Board as the impartial third party to oversee the verification and tabulation of the written surface water protests for Fiscal Year 2019-2020.

Manager:               Michele King, 408-630-2711

Attachments:         [Attachment 1: SCVWD Resolution No. 12-10](#)

- 3.7. Providing Notice of Time and Place of Public Hearing Regarding Flood Control Benefit Assessments for Fiscal Year 2019-2020 (FY 2019-20). [19-0342](#)

Recommendation:   Set a time and place for the public hearing on Flood Control Benefit Assessments for FY 2019-20 at 1:00 p.m. on May 14, 2019, 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](#)

- 3.8. Membership Nomination for Committee Appointment to the Environmental and Water Resources Committee (EWRC). [19-0366](#)

Recommendation: Consider nomination for a two-year membership appointment of Ms. Susan Blake to the Environmental and Water Resources Committee.

Manager: Michele King, 408-630-2711

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

- \*3.9. CEO Bulletin for the Week of March 22-28, and March 29-April 4, 2019. [19-0399](#)

Recommendation: Accept the CEO Bulletins.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: 032819 CEO Bulletin](#)  
[\\*Attachment 2: 040419 CEO Bulletin](#)

- \*3.10 Report of Bids Received, Award of Construction Contract to Silicon Valley Paving, Inc. for the Construction of Gold Street Median Removal Project, Project No. 00761023, Contract No. C0646 (San Jose), (District 3). [19-0393](#)

Recommendation:

- A. Ratify Addendum Nos.1 and 2 to the Contract documents for the Gold Street Median Removal Project;
- B. Waive minor irregularities in Silicon Valley Paving, Inc.'s Bid;
- C. Award the Contract to Silicon Valley Paving, Inc, in the sum of \$74,993; and
- D. Approve a contingency sum of \$7,500 and authorize the Operations & Maintenance Engineering Support Unit Manager to approve individual change orders up to the designated amount.

Manager: Sue Tippetts, 408-630-2253

Attachments: [Attachment 1: Addenda](#)  
[Attachment 2: Project Delivery Process Chart](#)

#### **REGULAR AGENDA:**

#### **4. BOARD OF DIRECTORS:**

4.1. District Living Wage Policy.

[19-0329](#)

- Recommendation:
- A. Receive information on the District's current Living Wage Policy; and
  - B. Direct District staff to return with proposed updates to the Living Wage Policy, for future discussion and approval by the Board.

Manager: Michael Baratz, 408-630-2361

Est. Staff Time: 15 Minutes

4.2. Board Committee Reports.

[19-0367](#)

- A. Delta Conveyance Design and Construction Authority Update.
- B. Delta Conveyance Finance Authority Update.
- C. Water Conservation and Demand Management Committee Update

Attachments: [Handout 4.2-A - 032519 WCDM Chair Meeting Summary](#)

**5. WATER UTILITY ENTERPRISE:**

5.1. Agreement with GEI Consultants, Inc., for Engineering Services for the Lenihan and Stevens Creek Dams Safety Evaluations and Budget Adjustment for Supplemental Tasks for the Dam Seismic Stability Evaluations Project, Project No. 91084019 (Los Gatos, Cupertino) (District 7).

[18-1121](#)

- Recommendation:
- A. Approve a budget adjustment transferring an amount not-to-exceed \$1,700,000 from the Almaden Dam Improvements Project (Project No. 91854001) to the Dam Seismic Stability Evaluations Project (Project No. 91084019) to fund the Lenihan and Stevens Creek Dams Safety Evaluations; and
  - B. Approve the Agreement with GEI Consultants, Inc., for engineering services for the Lenihan and Stevens Creek Dams Safety Evaluations for a not-to-exceed fee of \$2,453,283.

Manager: Christopher Hakes, 408-630-3796

Attachments: [Attachment 1: Agreement](#)

Est. Staff Time: 10 Minutes



5.2. Calero Reservoir Operations and System Reliability.

[19-0303](#)

- Recommendation:
- A. Receive an update on the operation and use of Calero Reservoir; and
  - B. Direct staff to proceed with the Calero Seismic Retrofit Project.

Manager: Kurt Arends, 408-630-2284

Attachments: [Attachment 1: Powerpoint](#)

Est. Staff Time: 5 Minutes

**6. WATERSHEDS:**

6.1. Proposed Pilot Project for Using Unmanned Aerial Vehicles (UAV) in Land Surveying and Mapping Activities.

[19-0058](#)

- Recommendation:
- A. Receive information and discuss issues identified for using UAV in land surveying and mapping activities; and
  - B. Provide direction to staff.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Flight Operations Manual, UAV](#)  
[Attachment 2: FAA Part 107 Commercial Act](#)  
[Attachment 3: Powerpoint](#)  
[Attachment 4: Uses of UAVs](#)

Est. Staff Time: 10 Minutes

**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 11, 2019, at Morgan Hill City Hall, Council Chambers, 17555 Peak Avenue, Morgan Hill, California.

