



Santa Clara Valley Water District Board of Directors Meeting

PHYSICALLY HELD AT
District Headquarters Building Boardroom
5700 Almaden Expressway
San Jose, CA 95118

***AMENDED/APPENDED AMENDED/APPENDED AGENDA AGENDA**

**Tuesday, July 9, 2019
1:00 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.

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

***AMENDED/APPEDED
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Tuesday, July 9, 2019

1:00 PM

PHYSICALLY HELD AT
District Headquarters Building Boardroom
5700 Almaden Expressway
San Jose, California 95118
AND TELECONFERENCING FROM
1400 Market St, Chattanooga, Tennessee 37402
866-390-1828, PARTICIPANT CODE: 5118441

1. CALL TO ORDER:

- 1.1. Roll Call.
- 1.2. Pledge of Allegiance/National Anthem.
- 1.3. Orders of the Day.
 - A. *Approximate Discussion Time (Board); and*
 - B. *Adjustments to the Order of Agenda Items.*
- 1.4. 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. TIME CERTAIN:

1:00 PM

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. San Francisquito Creek Joint Powers Authority Budget for Fiscal Year 2019-2020, and District Fiscal Year 2019-2020 Financial Contribution of \$185,000. [19-0628](#)

Recommendation: A. Approve the San Francisquito Creek Joint Powers Authority Fiscal Year 2019-2020 Operating Budget; and
B. Authorize the District's Fiscal Year 2019-2020 financial contribution to the San Francisquito Creek Joint Powers Authority in the amount of \$185,000.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: JPA FY2019-2020 Operating Budget](#)
[Attachment 2: JPA Invoice](#)

- 3.2. Claim of Great Oaks Water Company Against the Santa Clara Valley Water District for Refund of Groundwater Production Charges. [19-0658](#)

Recommendation: Deny Great Oaks Water Company's claim.

Manager: Stan T. Yamamoto, 408-630-2755

Attachments: [Attachment 1: Great Oaks' Claim Letter](#)

- *3.3 CEO Bulletin for the Weeks of June 21 - 27, and June 28 - July 4, 2019. [19-0666](#)

Recommendation: Accept the CEO Bulletins.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: 062719 CEO Bulletin](#)
[*Attachment 2: 070419 CEO Bulletin](#)

- *3.4. Approval of Minutes. [19-0680](#)

Recommendation: Approve the minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 052819 Regular Meeting](#)
[Attachment 2: 060319 Special Joint Meeting \(SJRECWA\)](#)
[Attachment 3: 060519 Special Closed Session Meeting](#)
[*Attachment 4: 061119 Regular Meeting](#)

- *3.5. Resolution Approving the Application for Grant Funds from The Wildlife Conservation Board, for the Bolsa Road Fish Passage Project (Project No. 26044002), (Gilroy), (District 1).

[19-0636](#)

Recommendation:

- A. Approve the grant application submitted by Chief Executive Officer (CEO) on June 21, 2019 to the State of California, Natural Resources Agency, Department of Fish and Wildlife, Wildlife Conservation Board, for Proposition 68 funds.
- B. Authorize the Chief Executive Officer (CEO), if the grant is awarded to the District, to:
 1. Accept the grant and execute a grant agreement with the California Wildlife Conservation Board for the Bolsa Road Fish Passage Project, provided all grant requirements can be met;
 2. Sign and submit invoices and requests to the California Wildlife Conservation Board for grant disbursements to be made pursuant to the Grant Agreement between the District and the California Wildlife Conservation Board to construct the Project; and
 3. Delegate such other authority as needed to provide management and support services required for the performance of the work and administration pursuant to the grant agreement, as deemed necessary and appropriate.
- C. Adopt the Resolution of the Board of Directors of the Santa Clara Valley Water District APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE WILDLIFE CONSERVATION BOARD FOR THE BOLSA ROAD FISH PASSAGE PROJECT.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Resolution](#)
[Attachment 2: Grant Application](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

***4.1. BOARD COMMITTEE REPORTS:**

[19-0667](#)

Standing Reports:

1. Delta Conveyance Design and Construction Authority Update
2. Delta Conveyance Finance Authority Update

Board Committees (Summary or Meeting Agenda):

3. Board Audit Committee
4. Board Policy and Planning Committee Summary

5. Capital Improvement Program Committee Agenda
6. Coyote Flood Risk Reduction Ad Hoc Committee
7. Diversity and Inclusion Ad Hoc Committee
8. FAHCE Ad Hoc Committee
9. Homeless Encampment Ad Hoc Committee
10. Recycled Water Committee
11. Water Conservation and Demand Management Committee
12. Water Storage Exploratory Committee

Board Advisory Committees (Summary or Meeting Agenda):

13. Agricultural Water Advisory Committee
14. Environmental and Water Resources Committee
15. Santa Clara Valley Water Commission
16. Santa Clara Valley Water District Youth Commission Summary

Board Joint Committees (Summary or Meeting Agenda):

17. Joint Recycled Water Advisory Committee with the City of Sunnyvale
18. Joint Recycled Water Policy Advisory Committee with the Cities of San Jose/Santa Clara and TPAC
19. Joint Water Resources Committee (City of Gilroy, City of Morgan Hill, and Valley Water)
20. San Felipe Division Reach One

External Committees/Agencies (Verbal Report):

21. ACWA and ACWA Joint Powers Insurance Authority
22. Baylands Shoreline Steering Committee
23. California WaterReuse Association
24. Joint Venture Silicon Valley Board of Directors
25. Landscape Committee
26. Local Agency Formation Commission (LAFCO)
27. Northern California Latino Water Coalition
28. Pajaro River Watershed Flood Protection Authority
29. Redevelopment Dissolution Countywide Oversight Board of Santa Clara County
30. Safe, Clean Water Independent Monitoring Committee
31. San Francisquito Creek JPA
32. Santa Clara County Water Retailers
33. Santa Clara Valley Habitat Conservation Plan JPA
34. San Luis and Delta-Mendota Water Authority Board and Delta Habitat Conservation & Conveyance Plan Steering Committee
35. Santa Clara County Emergency Operations Area Council
36. Santa Clara County Recycling and Waste Reduction Commission
37. Santa Clara County Special Districts Association
38. South County Regional Wastewater Authority (SCRWA)
39. Station Area Advisory Group (SAAG)
40. Zone 7, EBRPD, ACWD, SCVWD, LARPD and Tri-Valley Conservancy Liaison Committee

Attachments: [*4.1-3, Handout, 062619 BAC Meeting Summary](#)
[*4.1-4, Handout, 062419 BPPC Meeting Summary](#)
[*4.1-10, Handout, 071019 RWC Meeting Agenda](#)
[4.1-13, Handout, 070119 AWAC Meeting Agenda](#)

*4.2. Approve Fiscal Year 2019-2020 Board Work Plan. [19-0691](#)

Recommendation: A. Review and approve the Fiscal Year 2019-2020 Board Work Plan; and
B. Provide direction to staff on how the Plan should be distributed.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: FY20 Board Work Plan](#)
[*Handout 4.2-A, K.Irvin](#)

4.3. Fiscal Year 2020 Board Policy Planning and Performance Monitoring Calendars. [19-0660](#)

Recommendation: Review and approve the Fiscal Year 2020 Board Policy Planning and Performance Monitoring Calendars.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: Draft FY20 Board Calendars](#)

Est. Staff Time: 5 Minutes

5. WATER UTILITY ENTERPRISE:

*5.1. Report of Bids Received and Award of Construction Contract to Teichert Construction in the sum of \$55,200,000 for the Upper Llagas Creek Flood Protection Project Phase 1, Project No. 26174052, Contract No. C0645 (Morgan Hill) (District 1). [19-0632](#)

Recommendation: A. Ratify Addenda Nos. 1, 2, 3, 4, and 5 to the Contract Documents for the Upper Llagas Creek Flood Protection Project, Phase 1;
B. Award the Contract to Teichert Construction located in Roseville, California, in the sum of \$55,200,000; and
C. Approve a contingency sum of \$8,280,000 and authorize the Chief Executive Officer (CEO) or designee to approve individual change orders up to the designated amount.

Manager: Christopher Hakes, 408-630-3796

Attachments: [Attachment 1: Addenda](#)
[Attachment 2: Map](#)
[Attachment 3: Process Delivery Chart](#)

Est. Staff Time: 5 Minutes

- *5.2. Report of Bids Received and Award of Construction Contract to Kiewit Infrastructure West Co., for the Cross Valley and Calero Pipelines Inspection and Rehabilitation Project, Project No. 95084002, Contract No. C0650 (San Jose, Morgan Hill, Unincorporated Santa Clara County), (Districts 1 and 7). [19-0629](#)

Recommendation:

- A. Ratify Addenda No(s). 1, 2, 3, and 4 to the Contract Documents for the Cross Valley and Calero Pipelines Inspection and Rehabilitation Project;
- B. Award the Contract to Kiewit Infrastructure West Co., located in Fairfield, CA, in the sum of \$9,535,350; and
- C. Approve a contingency sum of \$1,430,300 and authorize the Chief Executive Officer or designee to approve individual change orders up to the designated amount.

Manager: Katherine Oven, 408-630-3126

Attachments: [Attachment 1: Addendums 1, 2, 3, and 4](#)
[Attachment 2: Project Delivery Process Chart](#)
[Attachment 3: Map](#)

Est. Staff Time: 5 Minutes

6. WATERSHEDS:

- 6.1. Approve the Agreements (2), for On-Call Consultant Biological Services, with Stillwater Sciences, Inc., CAS File No. 5001, and H. T. Harvey & Associates, CAS File No. 4954, for a Not-to-Exceed Combined Fee of \$3 Million. [19-0439](#)

Recommendation:

- A. Approve the agreement with Stillwater Sciences, Inc. for standard on-call consultant biological services, for a not-to-exceed fee of \$1.5 million; and
- B. Approve the agreement with H. T. Harvey & Associates for standard on-call consultant biological services, for a not-to-exceed fee of \$1.5 million.

Manager: Vincent Gin, 408-630-2633

Attachments: [Attachment 1: Agreement, Stillwater Sciences, Inc.](#)
[Attachment 2: Agreement, H. T. Harvey & Associates](#)

Est. Staff Time: 5 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 4:00 p.m. Closed Session, and 6:00 p.m. Regular Meeting, on July 23, 2019, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.