



## Santa Clara Valley Water District Board of Directors Meeting

Headquarters Building Boardroom  
5700 Almaden Expressway  
San Jose, CA 95118

**\*AMENDED/APPENDED**  
**11:00 AM CLOSED SESSION AND**  
**1:00 PM REGULAR MEETING**  
**AGENDA**

**Tuesday, December 10, 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.**

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

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Tuesday, December 10, 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

[19-1152](#)

CONFERENCE WITH LEGAL COUNSEL

Pursuant to Government Code section 54956.9(d)(2)

Significant Exposure to Litigation

2.2. CLOSED SESSION

[19-1159](#)

PUBLIC EMPLOYEE APPOINTMENT

Title: Chief Executive Officer

Ref: Government Code 54957(b)(1)

**1:00 PM**

2.3. District Council 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.*

\*2.7. Approval of Partnership Agreement Between the Santa Clara Valley Water District, the City of Palo Alto and the City of Mountain View to Advance Resilient Water Reuse Programs in Santa Clara County.

[19-1121](#)

Recommendation:

- A. Adopt a Resolution Making Responsible Agency Findings Pursuant to the California Environmental Quality Act (CEQA) Based on the Environmental Impact Report for the City of Palo Alto Recycled Water Project and the addendum prepared by the City of Palo Alto; and
- B. Authorize the Chief Executive Officer to execute the Agreement Between the Santa Clara Valley Water District, the City of Palo Alto and the City of Mountain View to Advance Resilient Water Reuse Programs in Santa Clara County (Agreement).

Manager: Jerry De La Piedra, 408-630-2257

Attachments: [Attachment 1: Agreement](#)  
[Attachment 2: Support Letters](#)  
[Attachment 3: PowerPoint](#)  
[Attachment 4: Resolution](#)  
[\\*Handout 2.7-A, Sustainable Silicon Valley](#)

Est. Staff Time: 10 Minutes

**3. CONSENT CALENDAR: (3.1 - 3.4) (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. Approve the Board of Directors' Quarterly Expense Report for the Quarter Ending September 30, 2019. [19-1110](#)

Recommendation: A. Review the Board of Directors' Quarterly Expense Report for the Quarter Ending September 30, 2019; and  
B. Approve the report, if the reimbursements comply with Board Policy.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: Quarterly Expense Reports](#)

- 3.2. Adopt Revisions to the Board Governance Policy Executive Limitation 5 required by Assembly Bill (AB) 707 (Kalra) Valley Water Contracting. [19-1141](#)

Recommendation: Review and adopt proposed revisions to the Board Governance Policy Executive Limitation (EL) 5 in accordance with AB 707 (Kalra) effective January 1, 2020.

Manager: Tina Yoke, 408-630-2385

Attachments: [Attachment 1: AB707 \(Kalra, 2019\) Valley Water Contracting](#)

Est. Staff Time: 5 Minutes

- \*3.3. Accept the CEO Bulletins for the Weeks of November 22-28, and November 29 Through December 5, 2019. [19-1160](#)

Recommendation: Accept the CEO Bulletins.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: 112819 CEO Bulletin](#)  
[\\*Attachment 2: 120519 CEO Bulletin](#)

3.4. Approval of Minutes.

[19-1101](#)

Recommendation: Approve the minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 102219 Regular Meeting Minutes](#)  
[Attachment 2: 102819 Special CS Meeting Minutes](#)

**REGULAR AGENDA:**

**4. BOARD OF DIRECTORS:**

4.1. Review of Board Governance Policy, GP-9.2.1, Governance Process,  
Board Committee Structure, Board Members Representation on Board  
Standing and Ad Hoc Committees.

[19-1104](#)

Recommendation: Review Board Governance Policy, GP-9.2.1, Governance  
Process, Board Committee Structure, Board Members  
Representation on Board Standing and Ad Hoc Committees  
and make revisions as the Board deems necessary.

Manager: Michele King, 408-630-2711

Est. Staff Time: 5 Minutes

Standing Reports (Verbal Reports):

1. Delta Conveyance Design and Construction Authority (DCA) Update
2. Delta Conveyance Finance Authority (Finance Authority) Update

Board Committees (Summary or Meeting Agenda):

3. Board Audit Committee (BAC)
4. Board Policy and Planning Committee (BPPC)
5. Capital Improvement Program (CIP) Committee
6. Coyote Flood Risk Reduction (CFRR) Ad Hoc Committee
7. Diversity and Inclusion (D&I) Ad Hoc Committee
8. Fishery and Aquatic Habitat Collaborative Effort (FAHCE) Ad Hoc Committee
9. Homeless Encampment Ad Hoc Committee (HEAHC)
10. Recycled Water Committee (RWC)
11. Water Conservation and Demand Management (WCDM) Committee
12. Water Storage Exploratory Committee (WSEC)

Board Advisory Committees (Summary or Meeting Agenda):

13. Agricultural Water Advisory Committee (AWAC)
14. Environmental and Water Resources Committee (EWRC)
15. Santa Clara Valley Water Commission (Water Commission)
16. Youth Commission

Board Joint Committees (Summary or Meeting Agenda):

17. Joint Recycled Water Advisory Committee (JRWAC) (Sunnyvale)
18. Joint Recycled Water Advisory Committee (JRWAC) (East PA/PA/MV)
19. Joint Recycled Water Policy Advisory Committee (JRWPAC) (SJ/SC/TPAC)
20. Joint Water Resources Committee (JWRC) (Gilroy/Morgan Hill)
21. San Felipe Division Reach One

External Committees/Agencies (Verbal Report):

22. ACWA and ACWA Joint Powers Insurance Authority
23. Baylands Shoreline Steering Committee
24. California WaterReuse Association
25. Joint Venture Silicon Valley Board of Directors
26. Landscape Committee
27. Local Agency Formation Commission (LAFCO)
28. Northern California Latino Water Coalition
29. Pajaro River Watershed Flood Protection Authority
30. Redevelopment Dissolution Countywide Oversight Board of Santa Clara County
31. Safe, Clean Water Independent Monitoring Committee (IMC)
32. San Francisquito Creek JPA
33. Santa Clara County Water Retailers

34. Santa Clara Valley Habitat Conservation Plan JPA
35. San Luis and Delta-Mendota Water Authority Board and Delta Habitat Conservation & Conveyance Plan Steering Committee
36. Santa Clara County Emergency Operations Area Council
37. Santa Clara County Recycling and Waste Reduction Commission
38. Santa Clara County Special Districts Association
39. South County Regional Wastewater Authority (SCRWA)
40. Station Area Advisory Group (SAAG)
41. Zone 7, EBRPD, ACWD, SCVWD, LARPD and Tri-Valley Conservancy Liaison Committee

Attachments:        [\\*Handout 4.2.4-A, 112519 BPPC Summary](#)  
                             [\\*Handout 4.2.5-A, 111819 CIP Summary](#)  
                             [\\*Handout 4.2.5-B, 120919 CIP Agenda](#)  
                             [\\*Handout 4.2.12-A, 121119 WSEC Agenda](#)  
                             [\\*Handout 4.2.3-A, 121619 BAC Agenda](#)

**5. WATER UTILITY ENTERPRISE:**

**6. WATERSHEDS:**

- 6.1. Approve the Agreement with Environmental Science Associates (ESA) for On-Call Planning & Design Services for Water Resources and Stewardship Agreement, CAS File No. 5017, for a not-to-exceed fee of \$1,000,000; and approve the Agreement with GEI Consultants for On-Call Planning and Design Services for Water Resources and Stewardship Agreement, CAS File No. 4968, for a not-to-exceed fee of \$1,000,000. [19-1111](#)

Recommendation:        A. Approve the On-Call Planning & Design Services for Water Resources & Stewardship Agreement with Environmental Science Associates (ESA), for a not-to-exceed fee of \$1,000,000 for the initial base term of four years, with the option to renew for up to one year, at the sole discretion of the District, for an additional amount of \$500,000; and

                                     B. Approve the On-Call Planning & Design Services for Water Resources & Stewardship Agreement with GEI Consultants, Inc. (GEI), for a not-to-exceed fee of \$1,000,000 for the initial base term of four years, with the option to renew for up to one year, at the sole discretion of the District, for an additional amount of \$500,000.

Manager:                Vincent Gin, 408-630-2633

Attachments:        [Attachment 1: Agreement with ESA](#)  
                             [Attachment 2: Agreement with GEI](#)

Est. Staff Time:        5 Minutes



- 6.2. Budget Adjustment in the Amount of \$320,000; Approve an Increase of \$12,591.63 to the Construction Contract Contingency Sum; and Accept the Project as Complete for the Cunningham Flood Detention Facility Certification Project (Construction Stage 1 - Milestones 1 and 1a), Gordon N. Ball, Contractor, Project No. 40264011, Contract No. C0641 (San Jose) (District 1). [19-1014](#)

Recommendation:

- A. Approve a Fiscal Year 2020 budget adjustment in the amount of \$320,000 from Fund 12 Watershed Stream Stewardship Fund to the Cunningham Flood Detention Facility Project;
- B. Approve an increase of \$12,591.88 to the construction contract contingency sum;
- C. Accept the work as complete on the Cunningham Flood Detention Facility Certification Project (Construction Stage 1 - Milestones 1 and 1a), Project No. 40264011, Contract No. C0641; and
- D. Direct the Clerk of the Board to sign the Notice of Completion of Contract and Acceptance of Work for Construction Stage 1 - Milestones 1 and 1a 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/Acceptance of Work](#)  
[Attachment 2: Construction Contract Acceptance](#)  
[Attachment 3: Project Completion Letter](#)  
[Attachment 4: PowerPoint](#)  
[Attachment 5: Project Delivery Process Chart](#)

Est. Staff Time: 10 Minutes

- 6.3. Budget Adjustment in the Amount of \$3 Million from Fund 12 Watershed and Stream Stewardship Operating and Capital Reserves to the South San Francisco Bay Shoreline Project, Project No. 00044026. (District 3) [19-0724](#)

Recommendation: Approve a budget adjustment in the amount of \$3 million from Fund 12 Watersheds Stream Stewardship Operating and Capital Reserves to the South San Francisco Bay Shoreline Project, Project No. 00044026.

Manager: Ngoc Nguyen, 408-630-2632

Est. Staff Time: 5 Minutes

## 7. EXTERNAL AFFAIRS:

- \*7.1. Opportunities to Enhance and Update the Safe, Clean Water and Natural Flood Protection Program by Evaluating a Future Funding Measure. [19-1172](#)

Recommendation:

- A. Receive information on opportunities to strengthen and update the existing Safe, Clean Water and Natural Flood Protection Program;
- B. Receive information on the feasibility of developing and placing a future funding measure on the November 2020 ballot;
- C. Receive information of next steps towards developing a future funding measure and program, which will be brought to the Board for consideration in 2020; and
- D. Provide staff direction on considerations and next steps for developing a funding measure to continue and extend an existing special parcel tax for continued funding of the Safe, Clean Water and Natural Flood Protection Program for potential placement on the November 2020 ballot.

Manager: Marta Lugo, 408-630-2237

Attachments: [\\*Supplemental Agenda Memorandum](#)  
[\\*Supplemental Attachment 1: Voter Survey Results](#)

Est. Staff Time: 5 Minutes

- 7.2. 2019 Update on Programs and Activities in the Office of Civic Engagement. [19-0924](#)

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

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

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 10 Minutes

## 8. CHIEF EXECUTIVE OFFICER:

- 8.1. Planning for Fiscal Year 2020-21 Budget Process. [19-1109](#)

Recommendation: Receive and discuss the Fiscal Year 2020-21 budget process overview.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 5 Minutes

- 8.2. 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 10:00 a.m., on December 17, 2019, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.

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