



Santa Clara Valley Water District Board of Directors Meeting

Headquarters Building Boardroom

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

**Tuesday, February 25, 2020
6:00 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

Nai Hsueh, Chair, District 5
Tony Estremera, Vice Chair, District 6
John L. Varela, District 1
Barbara Keegan, District 2
Richard P. Santos, District 3
Linda J. LeZotte, District 4
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
AGENDA**

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

Tuesday, February 25, 2020

6:00 PM

Headquarters Building Boardroom

1. CALL TO ORDER:

1.1. Roll Call.

2. TIME CERTAIN:

6:00 PM

*2.1. ITEM REMOVED FROM AGENDA.

*2.2. ITEM REMOVED FROM AGENDA.

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. Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee's Sixth Annual Report for Fiscal Year 2018-2019. [20-0232](#)

Recommendation: A. Receive the Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee's Sixth Annual Report for Fiscal Year 2018-2019; and
 B. Provide direction to staff as appropriate.

Manager: Melanie Richardson, 408-630-2035

Attachments: [Attachment 1: SCW IMC Letter to Board](#)
 [Attachment 2: SCW IMC FY19 Annual Report](#)
 [Attachment 3: SCW IMC Notes for Future Annual Reports](#)

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 the Resolution Authorizing the Chief Executive Officer to File an Application and Execute a Grant Agreement with the United States Bureau of Reclamation for Funding from the WaterSMART Drought Response Program, and Authorize the Chief Executive Officer to Negotiate and Execute the Grant Agreement with the US Bureau of Reclamation, Upon Approval of the WaterSMART Drought Response Program Award. [20-0119](#)

Recommendation:

- A. Adopt the resolution AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO FILE AN APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE UNITED STATES BUREAU OF RECLAMATION FOR FUNDING FROM THE WATERSMART DROUGHT RESPONSE PROGRAM; and
- B. Authorize the CEO, if the grant is awarded to the District, to:
 - 1. Accept the grant and negotiate and execute a grant agreement with the United States Bureau of Reclamation (USBR) for the Drought Response Plan, provided all grant requirements can be met;
 - 2. Sign and submit invoices and requests to the USBR for grant disbursements to be made pursuant to the grant agreement; 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.

Manager: Garth Hall, 408-630-2750

Attachments: [Attachment 1: Resolution](#)

- 3.2. Adopt Plans and Specifications and Authorize Advertisement for Bids for the Bolsa Road Fish Passage Improvements Project, Project No. 26044002, Contract No. C0656, (Gilroy) (District 1). [19-0635](#)

Recommendation:

- A. Adopt Plans and Specifications and authorize advertisement for bids for construction of the Bolsa Road Fish Passage Improvements Project, 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: Notice To Bidders](#)
[Attachment 2: Project Delivery Process](#)
[Attachment 3: Map](#)

- *3.3. Approve Agreement with H.T. Harvey & Associates for Landscape Design Services for the Almaden Lake Improvement Project, Project No. 26044001, CAS No. 5044 (San José) (District 4). (PREVIOUSLY LISTED AS ITEM NO. 6.1) [19-1222](#)

Recommendation: Approve the Consultant Services Agreement with H. T. Harvey & Associates for landscape design services for the Almaden Lake Improvement Project for a not-to-exceed amount of \$361,474.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Agreement](#)

- *3.4. Accept the CEO Bulletins for the Weeks of February 7-13, and February 14-20, 2020. (PREVIOUSLY LISTED AS ITEM 3.3) [20-0231](#)

Recommendation: Accept the CEO Bulletins.

Manager: Norma Camacho, 408-630-2084

Attachments: [Attachment 1: 02132020 CEO Bulletin](#)
[*Attachment 2: 02202020 CEO Bulletin](#)

- *3.5. Approval of Minutes. [20-0203](#)

Recommendation: Approve the minutes.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 121019 Regular Meeting Minutes](#)
[Attachment 2: 121719 Special Meeting Minutes](#)
[Attachment 3: 011420 Regular Meeting Minutes](#)

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

- 4.1. Review Fiscal Year 2020 Board Policy Planning and Performance Monitoring Calendars. [20-0160](#)

Recommendation: Review, discuss, and revise the Fiscal Year 2020 Board Policy Planning and Performance Monitoring Calendars.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: FY20 Board Policy Planning Calendar](#)
[Attachment 2: FY20 Board Performance Monitoring Calendar](#)

Est. Staff Time: 5 Minutes

- 4.2. Review 2020 Capital Improvement Committee Work Plan. [20-0234](#)
- Recommendation: Review the 2020 Capital Improvement Program Committee Work Plan, and make adjustments as necessary.
- Manager: Michele King, 408-630-2306
- Attachments: [Attachment 1: 2020 CIP Committee Work Plan](#)
- Est. Staff Time: 5 Minutes
- *4.3. Consider Water Storage Exploratory Committee's Recommendation and Associated Staff Analysis from the Committee's Meeting on January 15, 2020. [20-0192](#)
- Recommendation:
- A. Receive and consider recommendation by the Water Storage Exploratory Committee to accelerate the partnerships discussion for the Pacheco Reservoir Expansion Project; and
 - B. Give direction to CEO regarding acceleration of partnerships discussion for the Pacheco Reservoir Expansion Project.
- Manager: Christopher Hakes, 408-630-3796
Garth Hall, 408-630-2750
- Est. Staff Time: 5 Minutes
- *4.4. Board Committee Reports. (PREVIOUSLY LISTED AS ITEM 4.3) [20-0162](#)
- Attachments:
- [*Handout 4.4-A: 022420 AWAC Agenda](#)
 - [*Handout 4.4-B: 021929 BAC Agenda](#)
 - [*Handout 4.4-C: 012720 BPPC Summary](#)
 - [*Handout 4.4-D: 012720 EWRC Summary](#)
 - [*Handout 4.4-E: 012120 RWC Summary](#)
 - [*Handout 4.4-F: 011520 WSEC Summary](#)
 - [*Handout 4.4-G: 022120 DCA Meeting Notes](#)
 - [*Handout 4.4-H: 022120 DCFA Meeting Notes](#)
- *4.5. Proposed Future Board Member Agenda Items. (PREVIOUSLY LISTED AS ITEM 4.4) [20-0251](#)

5. WATER UTILITY ENTERPRISE:

- 5.1. Update on the Condition of the Almaden Valley Pipeline and [20-0235](#)
Determination that the Condition of the Almaden Valley Pipeline Continues
to Constitute an Emergency (San Jose) (District 7).

Recommendation: A. Receive an update on the Almaden Valley Pipeline; and
B. Determine by a four-fifths vote of the Board that there is a
need to continue the emergency action declared by the
Acting Chief Executive Officer (CEO) on December 23,
2019, pursuant to California Public Contract Code
§22050, to repair the Almaden Valley Pipeline.

Manager: Aaron Baker, 408-630-2135

Attachments: [Attachment 1: Declaration of Emergency](#)

Est. Staff Time: 5 Minutes

- 5.2. Approve the Cost Reimbursement Agreement with Google, LLC for [19-1173](#)
Construction of Bay Trail Improvements as Part of the Sunnyvale East and
West Channels Flood Protection Project, Project No. 26074002
(Sunnyvale), (District 3).

Recommendation: A. Approve the Cost Reimbursement Agreement with
Google, LLC for Construction of Bay Trail Improvements
as Part of the Sunnyvale East and West Channels Flood
Protection Project; and
B. Authorize the Chief Executive Officer (CEO) to execute
the Cost Reimbursement Agreement with Google, LLC
for Construction of Bay Trail Improvements as Part of the
Sunnyvale East and West Channels Flood Protection
Project.

Manager: Heath McMahon, 408-630-3126

Attachments: [Attachment 1: Agreement](#)

Est. Staff Time: 5 Minutes

6. WATERSHEDS:

- *6.1. MOVED TO ITEM 3.3.

- 6.2. Review and Authorize Distribution of Santa Clara Valley Water District's Draft Fiscal Years 2021-25 Capital Improvement Program. [20-0157](#)

Recommendation: Review the Draft Fiscal Years 2021-25 CIP and authorize release of the document to all cities in Santa Clara County and the County of Santa Clara for review as to its consistency with their General Plans.

Manager: Chris Hakes, 408-630-3796

Attachments: [Attachment 1: Draft FY 2021-2025 CIP](#)

Est. Staff Time: 5 Minutes

7. EXTERNAL AFFAIRS:

8. CHIEF EXECUTIVE OFFICER:

- *8.1. Receive and Approve the Fiscal Year 2018-19 Year-End Closing Budget Adjustment and Fiscal Year 2019-20 Midyear Budget Adjustment. [20-0247](#)

Recommendation: A. Approve the Fiscal Year 2018-19 year-end closing budget adjustment; and
*B. Approve the Fiscal Year 2019-20 midyear operating and capital budget adjustments as per Supplemental Attachments 1 and 2.

Manager: Darin Taylor, 408-630-3068

Attachments: [*Original Board Agenda Memo](#)
[*Original Attachment 1: FY18-19 Year End Closing Sheet](#)
[*Original Attachment 2: FY19-20 Midyear Adjustment Sheet](#)
[*Original Attachment 3: FY19-20 Midyear Adjustment Details](#)
[*Supplemental Board Agenda Memo](#)
[*Supplemental Attachment 1: Revising Original Attachment 2](#)
[*Supplemental Attachment 2: Revising Original Attachment 3](#)

Est. Staff Time: 10 Minutes

- 8.2. Receive the Fiscal Year 2019-20 Financial Status Update Report as of December 31, 2019. [20-0116](#)

Recommendation: Receive the financial status update report for the Fiscal Year 2019-20 as of December 31, 2019.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 10 Minutes

*8.3. CEO and Chiefs' Report.

[20-0315](#)

Attachments: [*Handout 8.3-A , Storm Update](#)
[*Handout 8.3-B, OGR Legislative Update](#)

9. ADMINISTRATION:

10. DISTRICT COUNSEL:

11. ADJOURN:

11.1. Board Member Reports/Announcements.

11.2. Clerk Review and Clarification of Board Requests.

11.3. Adjourn to 11:00 a.m. Closed Session, and 1:00 p.m. Regular Meeting on March 10, 2020, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.