



# Santa Clara Valley Water District Board of Directors Meeting

Teleconference Zoom Meeting

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

**Tuesday, June 8, 2021**  
**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  
Tony Estremera, Chair - District 6  
Gary Kremen, Vice Chair - District 7  
John Varela - District 1  
Barbara Keegan - District 2  
Richard P. Santos - District 3  
Linda J. LeZotte - District 4  
Nai Hsueh - District 5

During the COVID-19 restrictions, 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 to the public through the legislative body agenda web page at the same time that the public records are distributed or made available to the legislative body, or through a link in the Zoom Chat Section during the respective meeting. Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to participate in the legislative body's meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

RICK L. CALLENDER, ESQ.  
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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Tuesday, June 8, 2021

11:00 AM

Teleconference Zoom Meeting

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**IMPORTANT NOTICES**

This meeting is being held in accordance with the Brown Act as currently in effect under the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20 issued on March 17, 2020 that allows attendance by members of the Board of Directors, District staff, and the public to participate and conduct the meeting by teleconference, videoconference, or both.

Members of the public wishing to address the Board during a video conferenced meeting on an item not listed on the agenda, or any item listed on the agenda, should use the "Raise Hand" tool located in Zoom meeting link listed on the agenda. Speakers will be acknowledged by the Board Chair in the order requests are received and granted speaking access to address the Board.

Santa Clara Valley Water District (District), in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access and/or participate in District Board meetings to please contact the Clerk of the Board's office at (408) 630-2711, at least 3 business days before the scheduled District Board meeting to ensure that the District may assist you.

This agenda has been prepared as required by the applicable laws of the State of California, including but not limited to, Government Code Sections 54950 et. seq. and has not been prepared with a view to informing an investment decision in any of Valley Water's bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in the information in this agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of Valley Water's bonds, notes or other obligations and investors and potential investors should rely only on information filed by the District on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures and Valley Water's Investor Relations website, maintained on the World Wide Web at <http://emmas.msrbo.org/> and <https://www.valleywater.org/how-we-operate/financebudget/investor-relations>, respectively.

Under the Brown Act, members of the public are not required to provide identifying information in order to attend public meetings. Through the link below, the Zoom webinar program requests entry of a name and email address, and Valley Water is unable to modify this requirement. Members of the public not wishing to provide such identifying information are encouraged to enter "Anonymous" or some other reference under name and to enter a fictional email address (e.g., attendee@valleywater.org) in lieu of their actual address. Inputting such values will not impact your ability to access the meeting through Zoom.

**Join Zoom Meeting:**

**\* <https://valleywater.zoom.us/j/87355078274>**

**Meeting ID: 873 5507 8274**

**Join by Phone:**

**1 (669) 900-9128, 87355078274#**

**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

THREAT TO PUBLIC SERVICES OR FACILITIES

Pursuant to Government Code Section 54957(a)

Consultation with Alex Gordon, Assistant Officer

[21-0626](#)

2.2. CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957(b)(1)

Title: CEO, District Counsel and Clerk of the Board

[21-0629](#)

**1:00 PM**

**Rejoin Zoom Meeting:**

**\* <https://valleywater.zoom.us/s/87355078274>**

**Meeting ID: 873 5507 8274**

**Join by Phone:**

**1 (669) 900-9128, 87355078274#**

2.3. District Counsel Report on Closed Session.

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: Members of the public who wish to address the Board on any item not listed on the agenda should access the "Raise Hand" tool located in Zoom meeting link listed on the agenda. Speakers will be acknowledged by the Board Chair in order requests are received and granted speaking access to address the Board. 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. ITEM REMOVED FROM AGENDA.

Receive Drought Update and Adopt a Resolution Calling for Water Use Reduction.

- \*2.8. Public Hearing to Adopt the 2020 Urban Water Management Plan, Water Shortage Contingency Plan, and Reduced Delta Reliance Addendum to 2015 Urban Water Management Plan.

[21-0569](#)

- Recommendation:
- A. Conduct Public Hearing on the draft 2020 Urban Water Management Plan and Water Shortage Contingency Plan;
  - B. Close the Public Hearing;
  - C. Adopt the Resolution ADOPTING THE 2020 URBAN WATER MANAGEMENT PLAN;
  - D. Adopt the Resolution ADOPTING THE WATER SHORTAGE CONTINGENCY PLAN; and
  - E. Adopt the Resolution ADOPTING APPENDIX H OF THE 2020 URBAN WATER MANAGEMENT PLAN AS AN ADDENDUM (REDUCED DELTA RELIANCE) TO THE 2015 URBAN WATER MANAGEMENT PLAN.

Manager: Vincent Gin, 408-630-2633

Attachments: [Attachment 1: Resolution, 2020 UWMP](#)  
[Attachment 2: Resolution, WSCP](#)  
[Attachment 3: Resolution, Addendum to 2015 UWMP](#)  
[Attachment 4: Draft UWMP](#)  
[Attachment 5: Draft WSCP](#)  
[Attachment 6: PowerPoint](#)  
[Attachment 7: BAWSCA Letter](#)  
[Handout 2.8-A: Friends of the River](#)  
[\\*Handout 2.8-B: Sierra Club](#)

Est. Staff Time: 15 Minutes

- 2.9. Adopt the Resolution Approving the Central Valley Project Repayment Contract, and Authorize District Counsel to File a Validation Action for the Central Valley Project Repayment Contract. [21-0598](#)

Recommendation:      A. Receive information and discuss the proposed Central Valley Project Repayment Contract;  
                                 B. Approve the Central Valley Project Repayment Contract by adopting the Resolution APPROVAL OF CENTRAL VALLEY PROJECT REPAYMENT CONTRACT; and  
                                 C. Authorize District Counsel to file a validation action for the Central Valley Project Repayment Contract.

Manager:                Vincent Gin, 408-630-2633

Attachments:         [Attachment 1: Resolution](#)  
                                 [Attachment 2: PowerPoint](#)

Est. Staff Time:      10 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 submit a request to speak to the Clerk of the Board.*

- 3.1. Adopt Resolutions Expressing Appreciation to the Third Annual Water 101 Academy Graduates. [21-0525](#)

Recommendation:    Adopt the Resolutions EXPRESSING APPRECIATION to 21 Third Annual Water 101 Academy Graduates.

Manager:                Marta Lugo, 408-630-2237

Attachments:         [Attachment 1: Resolutions](#)

- 3.2. Adopt Resolutions of Appreciation for Community Partners in the Coyote Creek Cleanup Event on May 1, 2021. [21-0571](#)

Recommendation: Adopt Resolutions of Appreciation to acknowledge and thank the local agencies, nonprofit organizations, local businesses and volunteers who participated the Coyote Creek Cleanup event on May 1, 2021.

Manager: Marta Lugo, 408-630-2237

Attachments: [Attachment 1: Resolution - County of Santa Clara](#)  
[Attachment 2: Resolution - City of San Jose](#)  
[Attachment 3: Resolution - Opening Doors](#)  
[Attachment 4: Resolution - Republic Services](#)  
[Attachment 5: Resolution - Saved By Nature](#)  
[Attachment 6: Resolution - South Bay Clean Creeks Coalition](#)  
[Attachment 7: Resolution - The Trash Punx](#)  
[Attachment 8: Resolution - Zanker Recycling](#)

- 3.3. Adopt the Resolution Designating JUNE 19, 2021, as “JUNETEENTH INDEPENDENCE DAY” in recognition of June 19, 1865, as the date of celebration for the emancipation of African Americans from slavery in the United States. [21-0610](#)

Recommendation: Adopt the Resolution DESIGNATING JUNE 19, 2021, AS “JUNETEENTH INDEPENDENCE DAY” IN RECOGNITION OF JUNE 19, 1865, THE DATE ON WHICH SLAVERY CAME TO AN END IN THE UNITED STATES.

Manager: Rick Callender, 408-630-2017  
Brian Hopper, 408-630-2765

Attachments: [Attachment 1: Resolution](#)

- 3.4. Consider Membership Nomination for Committee Appointment to the Renewed Safe, Clean Water Independent Monitoring Committee. [21-0600](#)

Recommendation: Consider three-year membership appointment to the Renewed Safe, Clean Water Independent Monitoring Committee (SCW IMC).

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: SCVWD Resolution No. 21-10](#)  
[Attachment 2: Membership Application, Peterson](#)

- 3.5. Approve the On-Call Consulting Agreements (4), for On-Call Design Engineering Services, with Dahlin Group Architecture Planning, Hazen and Sawyer, Salas O'Brien, and Siegfried Engineering, and On-Call Consulting Agreement (1), for On-Call Construction Management Services with Swinerton Management and Consulting, each for a Not-to-Exceed Fee of \$500,000.

[21-0531](#)

- Recommendation:
- A. Approve the Agreement with Dahlin Group Architecture Planning, for On-Call Design Engineering Services (Project), CAS File No. 5068, for a not-to-exceed fee of \$500,000;
  - B. Approve the Agreement with Hazen and Sawyer, for On-Call Design Engineering Services (Project), CAS File No. 5120, for a not-to-exceed fee of \$500,000;
  - C. Approve the Agreement with Salas O'Brien, for On-Call Design Engineering Services (Project), CAS File No. 5121, for a not-to-exceed fee of \$500,000;
  - D. Approve the Agreement with Siegfried Engineering, for On-Call Design Engineering Services (Project), CAS File No. 5122, for a not-to-exceed fee of \$500,000; and
  - E. Approve the Agreement with Swinerton Management and Consulting, for On-Call Construction Management Services (Project), CAS File No. 5123, for a not-to-exceed fee of \$500,000.

Manager: Kenneth Wong, 408-630-2076

Attachments: [Attachment 1: Agreement, Dahlin Group](#)  
[Attachment 2: Agreement, Hazen and Sawyer](#)  
[Attachment 3: Agreement, Siegfried Engineering](#)  
[Attachment 4: Agreement, Salas O'Brien Engineers](#)  
[Attachment 5: Agreement, Swinerton](#)



- 3.6. Approve Amendment No. 2 to Agreement No. A4265G with Carpi and Clay, Inc., for Federal Representation Services, Project No. 60231003, Increasing the Not-to-Exceed Fee to \$350,400 and Extending the Agreement Term to June 30, 2022. [21-0447](#)

Recommendation: Approve Amendment No. 2 to Agreement No. A4265G with Carpi and Clay, Inc., for Federal Representation Services, to increase the not-to-exceed fee from \$230,400 by \$120,000, resulting in a total not-to-exceed fee of \$350,400, and extend the Agreement term to June 30, 2022.

Manager: Don Rocha, 408-630-2338

Attachments: [Attachment 1: Amendment No. 2](#)

- 3.7. Single Source Purchase of Services with Our City Forest related to the Lawn Conversion Program (Lawn Busters Program) and Do-It-Yourself (DIY) Lawn Busters trainings for the Water Conservation Project for a Fee of \$290,000. [21-0481](#)

Recommendation:

- A. Approve a single source purchase of services with our City Forest related to the Lawn Busters Program and DIY Lawn Busters trainings for the Water Conservation Project, Project No. 91151001, for a Fee of \$290,000; and
- B. Approve the Memorandum of Understanding Between the Santa Clara Valley Water District and Our City Forest for the Lawn Busters Program.

Manager: Vincent Gin, 408-630-2633

Attachments: [Attachment 1: MOU](#)  
[Attachment 2: Single Source Memo](#)

- 3.8. Approve the Board of Directors' Quarterly Expense Report for the Quarter Ending March 31, 2021. [21-0581](#)

Recommendation:      A. Review the Board of Directors' Quarterly Expense Report for the Quarter Ending March 31, 2021; and  
                                 B. Approve the report, if the reimbursements comply with Board Policy.

Manager:                 Darin Taylor, 408-630-3068

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

- \*3.9. Report of Bids Received and Award of Construction Contract to Graniterock Company, in the sum of \$603,050, for the Upper Guadalupe River Reach 6 Aquatic Habitat Improvement Project, Project No. 26154002, Contract No. C0660 (San Jose) (District 6). [21-0579](#)

Recommendation:      A. Ratify Addendum No. 1 to the Contract Documents for the Upper Guadalupe River Reach 6 Aquatic Habitat Improvement Project, per the Notice to Bidders;  
                                 B. Award the Construction Contract to Graniterock Company located in Watsonville, California, in the sum of \$603,050; and  
                                 C. Approve a contingency sum of \$60,305 and authorize the Chief Executive Officer or designee to approve individual change orders up to the designated amount.

Manager:                 Rechelle Blank, 408-630-2615

Attachments:           [Attachment 1: Addendum No. 1](#)  
                                 [Attachment 2: Project Map](#)  
                                 [Attachment 3: Project Delivery Process Chart](#)

- \*3.10 Accept the CEO Bulletin for the Weeks of May 21, Through June 3, 2021. [21-0630](#)

Recommendation:      Accept the CEO Bulletin.

Manager:                 Rick Callender, 408-630-2017

Attachments:           [Attachment 1: 060321 CEO Bulletin](#)

#### **REGULAR AGENDA:**

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

\*4.1. Board Committee Reports.

[21-0631](#)

Attachments: [\\*Handout 4.1-A: 041221 RWC Summary](#)  
[\\*Handout 4.1-B: 060721 BPPC Agenda](#)

4.2. Proposed Future Board Member Agenda Items.

**5. WATER UTILITY ENTERPRISE:**

**6. WATERSHEDS:**

**7. ASSISTANT CHIEF EXECUTIVE OFFICER:**

7.1. Safe, Clean Water and Natural Flood Protection Program 5-Year Implementation Plan for Fiscal Years 2022-2026.

[21-0578](#)

Recommendation: Approve the Safe, Clean Water and Natural Flood Protection Program 5-Year Implementation Plan for Fiscal Years 2022-2026 (5-Year Plan).

Manager: Melanie Richardson, 408-630-2035

Attachments: [Attachment 1: 5-Year Implementation Plan](#)  
[Attachment 2: PowerPoint](#)

Est. Staff Time: 10 Minutes

**8. EXTERNAL AFFAIRS:**

**9. CHIEF EXECUTIVE OFFICER:**

9.1. Adopt Resolution Adopting Employee Salary Schedule for Fiscal Year 2022.

[21-0591](#)

Recommendation: Adopt Resolution ADOPTING EMPLOYEE SALARY SCHEDULE - EFFECTIVE THE BEGINNING OF PAY PERIOD 14 FOR CALENDAR YEAR 2021.

Manager: Ingrid Bella, 408-630-3171

Attachments: [Attachment 1: Resolution](#)

Est. Staff Time: 5 Minutes

- 9.2. Adopt the Resolution Establishing Appropriations Limit for Fiscal Year 2021-22. [21-0606](#)

Recommendation:      A. Select the cost-of-living factor to establish the Santa Clara Valley Water District's Appropriations Limit; and  
                                 B. Adopt the Resolution ESTABLISHING APPROPRIATIONS LIMIT FOR FISCAL YEAR 2021-22.

Manager:                 Darin Taylor, 408-630-3068

Attachments:           [Attachment 1: Resolution](#)

Est. Staff Time:        5 Minutes

- \*9.3. CEO and Chiefs' Report. [21-0656](#)

Attachments:           [\\*Handout 9.1-A: Office of Communications Update](#)

**10. ADMINISTRATION:**

**11. DISTRICT COUNSEL:**

**12. ADJOURN:**

12.1. Board Member Reports/Announcements.

12.2. Clerk Review and Clarification of Board Requests.

\*12.3. \*Adjourn to Special Meeting at 1:00 p.m., on June 9, 2021, to be called to order in compliance with the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20.