



# Santa Clara Valley Water District Board of Directors Meeting

Teleconference Zoom Meeting

## **\*AMENDED/APPENDED AMENDED REGULAR MEETING AGENDA**

**Tuesday, September 14, 2021  
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  
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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**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-08-21 issued on June 11, 2021 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/81711016253>**

**Meeting ID: 817 1101 6253**

**Join by Phone:**

**1 (669) 900-9128, 81711016253#**

**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: 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. TIME CERTAIN:**

**1:00 PM**

\*2.1. Monthly Drought Response and Water Supply Update.

[21-0975](#)

Recommendation: Receive an update on water supply conditions in Santa Clara County and staff's drought response efforts and provide direction to staff, as necessary.

Manager: Aaron Baker, 408-630-2135

Attachments: [\\*Supplemental Board Agenda Memo](#)  
[\\*Supplemental Attachment 1: PowerPoint](#)  
[\\*Supplemental Attachment 2: Drought Response Report](#)  
[\\*Supplemental Attachment 3: September 2021 Water Tracker](#)

Est. Staff Time: 20 Minutes

**3. CONSENT CALENDAR: (3.1 - 3.7) (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 a Resolution Setting Time and Date of Public Hearing on the Engineer's Report and CEQA Exemption Determination for the Santa Teresa Water Treatment Plant Filter Media Replacement Project, Project No. 93284013, (San Jose, District 7).

[21-0863](#)

Recommendation: Adopt the Resolution SETTING TIME AND DATE OF PUBLIC HEARING ON THE ENGINEER'S REPORT AND CEQA EXEMPTION DETERMINATION FOR THE SANTA TERESA WATER TREATMENT PLANT FILTER MEDIA REPLACEMENT PROJECT, to occur on September 28, 2021, at 6:00 PM by teleconference Zoom meeting.

Manager: Heath McMahan, 408-630-3126

Attachments: [Attachment 1: Resolution](#)  
[Attachment 2: Engineer's Report](#)  
[Attachment 3: Notice of Public Hearing](#)

- 3.2. Adopt a Resolution Adopting the Final Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and Approve the Calabazas Creek Bank Rehabilitation Project (Project), Project No. 62084001 (Task 5183) (Cupertino) (District 5). [21-0829](#)

Recommendation:     A. Consider the environmental effects of the Calabazas Creek Bank Rehabilitation Project (Project) as discussed in the Final Mitigated Negative Declaration;  
                              B. Adopt the Resolution ADOPTING THE FINAL MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE CALABAZAS CREEK BANK REHABILITATION PROJECT; and  
                              C. Approve the Project.

Manager:                Rechelle Blank, 408-630-2615

Attachments:           [Attachment 1: Final MND](#)  
                              [Attachment 2: Resolution](#)  
                              [Attachment 3: Project Delivery Process Chart](#)

- 3.3. Adopt a Resolution Declaring September 18, 2021, as Coastal Cleanup Day in Santa Clara County. [21-0833](#)

Recommendation:     Adopt the Resolution DECLARING SEPTEMBER 18, 2021, AS COASTAL CLEANUP DAY IN SANTA CLARA COUNTY.

Manager:                Marta Lugo, 408-630-2237

Attachments:           [Attachment 1: Resolution](#)

- 3.4. Adopt a Resolution Declaring September 15 to October 15, 2021 as National Hispanic Heritage Month. [21-0962](#)

Recommendation:     Adopt the RESOLUTION DECLARING SEPTEMBER 15 TO OCTOBER 15, 2021, AS NATIONAL HISPANIC HERITAGE MONTH.

Manager:                Marta Lugo, 408-630-2237

Attachments:           [Attachment 1: Resolution](#)

- 3.5. Approve the Board of Directors' Quarterly Expense Report for the Quarter Ending June 30, 2021 [21-0932](#)

Recommendation:     A. Review the Board of Directors' Quarterly Expense Report for the Quarter Ending June 30, 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](#)

- \*3.6. Adopt Plans and Specifications and Authorize Advertisement for Bids for Construction of the South County Recycled Water Pipeline Short-Term Phase 1B/2A/1C/2B Project, Project No. 91094009, Contract No. C0668 (Gilroy, Unincorporated Santa Clara County) (District 1). [21-0985](#)

Recommendation:     A. Consider the First Addendum to the South County Recycled Water Master Plan Program Environmental Impact Report;  
                          B. Find that the South County Recycled Water Pipeline Short-Term Phase 1B/2A/1C/2B Project is substantially complex and therefore requires a construction contract retention of ten percent (10%);  
                          C. Adopt the plans and specifications and authorize advertisement for bids for the construction of the South County Recycled Water Pipeline Short-Term Phase 1B/2A/1C/2B Project per the Notice to Bidders; and  
                          D. Authorize the Designated Engineer to issue addenda, as necessary, during bidding.

Manager:             Heath McMahon, 408-630-3126

Attachments:        [Attachment 1: First EIR Addendum](#)  
                          [Attachment 2: Notice to Bidders](#)  
                          [Attachment 3: Project Delivery Process Chart](#)  
                          [Attachment 4: Map](#)  
                          [Attachment 5: PowerPoint](#)  
                          \*[Supplemental Agenda Memo](#)  
                          \*[Supplemental Attachment 1: Specifications](#)  
                          \*[Supplemental Attachment 2: Plans](#)

- \*3.7. Accept the CEO Bulletin for the Weeks of August 20 Through September 9, 2021. [21-0976](#)

Recommendation: Accept the CEO Bulletin.

Manager: Rick Callender, 408-630-2017

Attachments: [Attachment 1: 090921 CEO Bulletin](#)

## REGULAR AGENDA:

### 4. BOARD OF DIRECTORS:

- 4.1. Submittal of Member Agency Ballot for Association of California Water Agencies Region 5 Board Members for 2022-2023 Term. [21-0927](#)

Recommendation:

- A. Note the candidacy of Director John L. Varela for Association of California Water Agencies (ACWA) Region 5 Board Chair;
- B. Consider the Region 5 Nominating Committee recommended slate or vote for individual candidates as indicated on the attached ballot; and
- C. Authorize the Board Chair to complete and sign the ballot.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: Official Ballot](#)

Est. Staff Time: 5 Minutes

- 4.2. Purified Water Project - City of San José Partnership Update. [21-0979](#)

Recommendation:

- A. Receive information on the status of partnership with City of San José on the Purified Water Project;
- B. Direct staff to identify a mutually agreeable facilitator to support discussions with the City of San José on partnership options on the Purified Water Project;
- C. Authorize Chief Executive Officer to develop and provide City of San José a draft term sheet for potential partnership for the Purified Water Project; and
- D. Authorize Chief Executive Officer to explore compensating City of San José for staff time to participate through December 31, 2021, in facilitated discussions and development of a partnership agreement.

Manager: Kirsten Struve, 408-630-3138

Est. Staff Time: 5 Minutes

\*4.3. Board Committee Reports.

[21-0977](#)

- Attachments:
- [\\*Handout 4.3-A: 081821 BAC Summary](#)
  - [\\*Handout 4.3-B: 083021 WCDM Summary](#)
  - [\\*Handout 4.3-C: 082521 Youth Comm Summary](#)
  - [\\*Handout 4.3-D: 090721 BPPC Agenda](#)
  - [\\*Handout 4.3-E: 090721 BPPC Summary](#)
  - [\\*Handout 4.3-F: 090921 SPOC Agenda](#)
  - [\\*Handout 4.3-G: 091521 RAC Agenda](#)
  - [\\*Handout 4.3-H: 091521 BAC Agenda](#)

4.4. Proposed Future Board Member Agenda Items.

**5. WATER UTILITY ENTERPRISE:**

- 5.1. Approve Amendment No. 5 to Agreement No. A3626A with CDM Smith Inc., to Perform Engineering Design Services During Construction for the Rinconada Water Treatment Plant (RWTP) Interim Site Restoration Project and to Provide Engineering Design Services for the RWTP Reliability Improvement Project Phases 3 - 6, Project No. 93294057, Increasing the Total Not-to-Exceed Fee by \$6,120,110, for a Total Revised Not-to-Exceed Fee of \$35,405,987, and Extending the Agreement Term to October 31, 2023 (Los Gatos) (District 7).

[21-0732](#)

Recommendation: Approve Amendment No. 5 to Agreement No. A3626A with CDM Smith, Inc. for Engineering Design Services During Construction for the Rinconada Water Treatment Plant (RWTP) Interim Site Restoration Project and for Engineering Design Services for the RWTP Reliability Improvement Project Phases 3- 6, Project No. 93294057, increasing the total not-to-exceed fee by \$6,120,110 for a total revised not-to-exceed fee of \$35,405,987 and extending the Agreement term to October 31, 2023.

Manager: Heath McMahon, 408-630-3126

Attachments: [Attachment 1: Amendment No. 5](#)

Est. Staff Time: 5 Minutes

**6. WATERSHEDS:**

**7. ASSISTANT CHIEF EXECUTIVE OFFICER:**

**8. EXTERNAL AFFAIRS:**



- 8.1. Office of Racial Equity, Diversity, and Inclusion (REDI) Annual Board Update 2021. [21-0848](#)

Recommendation: Receive the annual update on activities in the Office of Racial Equity, Diversity, and Inclusion (REDI).

Manager: Marta Lugo, 408-630-2237

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 15 Minutes

**9. CHIEF EXECUTIVE OFFICER:**

- \*9.1. CEO and Chiefs' Report. [21-1004](#)

Attachments: [\\*Handout 9.1-A: Watersheds Operations & Maintenance Report](#)  
[\\*Handout 9.1-B: Communications Activities](#)

**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 Closed Session Meeting at 2:00 p.m., on September 20, 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-08-21.