



TO: BOARD OF DIRECTORS
FROM: NORMA J. CAMACHO

CEO BULLETIN

Week of September 9 – 15, 2016

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Board Policy EL-7: Communication and Support to the Board

The BAOs inform and support the Board in its work.

Further, a BAO shall:

Inform the Board of relevant trends, anticipated adverse media coverage, or material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established.

Report in a timely manner an actual or anticipated noncompliance with any policy of the Board.

INSIDE THIS ISSUE

Award of Title XVI Funding from the United States Department of the Interior, Bureau of Reclamation

On August 30, 2016, the United States Department of the Interior, Bureau of Reclamation (Bureau) notified the water district that it anticipates awarding \$4 million in federal funding for the water district's South Santa Clara County Recycled Water Project. The Bureau completed its review and ranked the water district's funding application highly.

The water district will continue to work with the Bureau to finalize the funding agreement for \$4 million by September 16, 2016. In addition, the water district will pursue federal appropriations for the \$1.7 million remaining in the federal Title XVI authorization for the project.

The letter from the Bureau, dated August 30, 2016, is included in the Board's September 16, 2016, Non-Agenda package.

For further information, please contact Garth Hall at (408) 630-2750.

Public meeting at the Rinconada Water Treatment Plant

On August 17, 2016, the water district hosted a public meeting at the Rinconada Water Treatment Plant to update neighborhood residents about the progress of the facility's Reliability Improvement Project construction. It was the third of four public meetings planned for this calendar year.

The water district summarized recent work completed at the facility, including the seismic retrofit of the Operations Building, provided a brief tour of the building, and led the attendees to the existing clarifier/filter deck from which they could view the project's construction work. The water district also outlined anticipated construction work in the coming months.

A key concern raised by local residents at this meeting is the speed of construction trucks traveling along More Avenue. Some residents believe that the trucks consistently exceed the posted speed limit of 25 miles per hour.

The water district informed the residents that, in response to the water district's meetings with the Town of Los Gatos earlier in the summer, Town officials approved the installation of speed indicator signs, which are slated to be installed in both directions on More Avenue by the end of September.

Meeting attendees requested the water district to also consider more aggressive forms of speed limit enforcement. To respond to these concerns, the water district is working with the construction contractor to utilize more flaggers on the roadway and to occasionally station a contractor's supervisor along the street to observe and record truck drivers' behaviors.

The water district will hold its fourth project quarterly meeting for 2016 in mid-November.

For further information, please contact Katherine Oven at 408-630-3126.

BOARD MEMBER REQUESTS

Santos

Staff to search our policies, MOUs, and agreements, when collaborating/working with other government agencies (for any reason, such as permits), and to discover if it addresses fees/costs and who pays those fees/costs

R-16-0039

Typically, the agreements that the water district enters into with other Government agencies for the planning, design, and construction of individual projects, do contain language addressing the monetary responsibilities of both parties.

Recent agreements with local municipalities (Cities of Milpitas, Mountain View, and San Jose) contain language obligating the water district to reimburse the cities for staff time required for plan review and construction inspection. For a local municipality project where there is mutual benefit (trails, a recycled water line, flood protection) the water district does not charge for plan review or permit issuance.

Following the adoption of the Water Resource Protection Ordinance, the board adopted a fee schedule. Neither the ordinance nor the fee schedule grants discretion to the Permit Authority to unilaterally waive fees.

There is a provision in the resolution adopted by the board approving the fee schedule that allows for a mutual fee waiver. However, in order for a fee waiver to occur, there must be an equal benefit to both parties.

For the waiver of fees to be mutual, there has to be an analysis conducted or accounting provided that shows that the waiver is indeed mutual, not just by type, but by cost. This is a result of Proposition 26, which was passed after adoption of the Water Resource Protection Ordinance, and deals with how fees are charged relative to taxes and voter approval.

In general, specific permit fees (encroachment, haul route, tree removal, etc) are not covered in the agreements because they are borne directly by the Contractor performing the work. When the water district or a municipality performs work directly, it is responsible for paying the required permit fees to the Permit Authority. As a result, depending on the type of work being performed, the water District may be required to pay a permit fee to a local municipality, or vice versa.

There are several activities that are exempt from fees, including, the Adopt-A-Creek program, pedestrian access work, and fence cost sharing. Fees are not required for activities covered by agreements with other agencies where there is already an exchange of benefits such as public access for recreational purposes allowed through joint use agreements.

For further information, please contact Ngoc Nguyen at (408) 630-2632.

Keegan

Staff is requested to schedule a joint meeting with SCVWD Board and SCV Open Space Authority to have a policy-level discussion on environmental resources collaborative efforts.

R-16-0040

The water district is working with the Santa Clara Valley Open Space Authority on a joint meeting, including, identification of a meeting date, development of an agenda, and all meeting logistics, to discuss environmental resources collaborative efforts, including multi-benefit water resource project opportunities in the Coyote Valley. The water district is planning on scheduling this meeting in the next four months.

For further information, please contact Rick Callender at (408) 630-2017.

Estremera

Staff is requested to schedule a joint meeting before the end of the year, with SCVWD Board and the County Board of Supervisors to discuss the Master Lease Agreement options/issues and homelessness issue in County, costs of recreational activities on District facilities and any other issues/subjects identified by Board members

R-16-0041

The water district is working with the Santa Clara County Board of Supervisors to schedule a joint meeting, including, identification of a meeting date, development of an agenda, and all meeting logistics.

The meeting agenda will include topics of mutual interest, including a discussion of the Master Lease Agreement (options and issues), the cost of recreational activities on water district facilities, homelessness issues, and any other issues and/or topics of interest identified by the board. The water district is planning on scheduling this meeting before the end of 2016.

For further information, please contact Rick Callender at (408) 630-2017.

Varela

Staff is to give a presentation on the California WaterFix Program to the Pajaro River Watershed Flood Prevention Authority Board, at its September 9, 2016 meeting

I-16-0033

At the April 1, 2016, Pajaro River Watershed Flood Prevention Authority (Authority) Board meeting, Director John Varela, chair of the Authority board, requested the Authority to arrange a presentation to the Authority board on the California WaterFix program.

The Authority's Staff Working Group lead requested the water district make the presentation. The presentation was given at the Authority's September 9, 2016, meeting.

For further information, please contact Garth Hall at (408) 630-2750.
