

To: Board of Directors
From: Norma J. Camacho, Interim CEO

Chief Executive Officer Bulletin Week of January 27 – February 2, 2017

Board Executive Limitation Policy EL-7:

The Board Appointed Officers shall inform and support the Board in its work. Further, a BAO shall 1) 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 and 2) report in a timely manner an actual or anticipated noncompliance with any policy of the Board.

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Groundbreaking for Permanente Creek Flood Protection Project

On January 20, 2017, the water district held a groundbreaking ceremony at the Los Altos City Council Chambers to mark the beginning of construction on the Permanente Creek Flood Protection Project.

The Permanente Creek Flood Protection Project will provide natural flood protection for approximately 2,200 properties and prevent flooding of Middlefield Road and Central Expressway in Mountain View and Los Altos.

Interim CEO Norma Camacho was the event's master of ceremonies and Director Gary Kremen and Director Nai Hsueh spoke to the project benefits and inter-agency collaboration. Mountain View Vice Mayor Lenny Seigel, Cupertino Vice Mayor Darcy Paul, and Midpeninsula Regional Open Space District Board Member Yoriko Kishimoto also made public comments.

Approximately 40 people attended the event, including Los Altos residents, representatives from the cities of Mountain View, Los Altos and Cupertino, County of Santa Clara and Midpeninsula Regional Open Space Districts, and project consultants from Mott MacDonald, Harris and Associates, and Granite Construction.

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

Office of Government Relations 2017 Community and Festival List

As part of regular community outreach, the Office of Government Relations develops a yearly list of community events and festivals of which the water district will host informational booths.

The informational booths provide a valuable forum for the water district to communicate with a diverse community on water-related issues, such as water conservation, water recycling and purification, the drought, winter preparedness, and water district projects in specific communities, among many others.

Many of the festivals included are events where the water district has previously hosted an informational booth and has had a high level of visibility due to the size of the crowds.

With the addition of the water district's 'Water Truck' in July of this year, it will enable the water district to promote the quality and taste of treated water and engage at an even higher level with the public at these events.

The event and festival list is included in the board's February 3, 2017, Non-Agenda package.

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

Report of Non-Compliance with Executive Limitation (EL) Policy EL-5: Coyote Pump Motor Unit #4 Repair

This is to notify the Board of a non-compliance with Executive Limitations Policy-5 (EL) relating to procurement. As part of addressing this non-compliance, opportunities for process improvement will be explored to reduce future risk in complying with EL-5. A complete description of this non-compliance is included in the board's February 3, 2017, Non-Agenda package.

On October 7, 2016, the Pump Motor Unit #4 at Coyote Pumping Plant experienced a short circuit and arc flash at the slip-ring assembly while all six units were in operation.

A Purchase Order was issued to Vincent Electric for \$24,900 for the urgent repair of the slip-ring assembly to prepare for the planned water delivery outages of the South Bay Aqueduct and the Pacheco Conduit and Santa Clara Tunnel Rehabilitation Project.

After motor disassembly, Vincent Electric discovered extensive damage to the slip-ring assembly and submitted a revised quote for \$49,458 to replace the assembly and complete the motor refurbishment.

Due to the unusual and compelling urgency to meet operational needs, the Board Appointed Officer's procurement designee previously approved, on November 15, 2016, a request for single-source procurement to amend the Purchase Order, given the justification of EL-5.3.12 and EL-5.3.12.2:

- EL-5.3.12: Procurements less than or equal to \$50,000 or consultant services contracts less than or equal to \$225,000, so long as documented justification for the non-competitive procurement satisfies the standard specified in Executive Limitation 5.3.12.1 or 5.3.12.2 and such documented justification is submitted for review to the

BAO or BAO's procurement designee, and is approved.

EL-5.3.12.2: The District's need for the service, supply, or equipment is of such an unusual and compelling urgency that the District would suffer substantial harm, unless it is permitted to acquire the service, supply, or equipment on a non-competitive basis. (single-source)

However, before the amended Purchase Order was issued, the Pacheco Conduit and Santa Clara Tunnel Rehabilitation Project was cancelled and the justification provided in 5.3.12.2 became no longer valid.

The motor is currently disassembled at the motor shop. On January 26, 2017, the interim CEO approved the recommended option to complete the work as a single-source procurement without the justification specified in EL-5.3.12.2 and to report the non-compliance to the Board.

For further information, please contact John Brosnan, acting Deputy Operating Officer, at (408) 630-2849.

Saratoga Encroachment Access Issue

This is to update the board of a property encroachment issue along Saratoga Creek.

Summary

A property owner with an encroachment along Saratoga Creek called the water district on December 2, 2016, requesting a large, dead eucalyptus tree be removed from behind the owner's home.

The most expedient way to access and remove the tree is through the property owner's yard.

However, the property owner is refusing water district access, citing the October 18, 2016, board meeting where the water district indicated there were alternative ways to access the eucalyptus trees in the area. The neighbors on either side of the property owner are also refusing water district access, citing the same comment.

Issue

The water district is not able to use alternate access (i.e. water district property) because of the encroachments on the creek banks. Approximately 29 encroachments along the east side of Saratoga Creek between Cox Avenue and Prospect Road block maintenance access. In addition, the creek is currently flowing and access from the channel bottom is also not possible.

If permission is granted, the water district would mobilize mechanized equipment and haul tree material out through the side yard (typically a 6-foot path). The water district would repair any damage and restore the property afterwards.

Status

The water district continues to communicate with the property owner and adjacent neighbors in hopes of gaining access to quickly address the dead tree. If property owners refuse to grant access,

encroachment remediation may be necessary to re-establish maintenance access to resolve the safety issue.

For further information, please contact Vincent Gin at (408) 630-2633.
