

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

Chief Executive Officer Bulletin Week of January 26 – February 1, 2018

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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Safe, Clean Water Grant Project Completion: City of San Jose completes the Los Alamitos Creek, Coleman Road Under-Crossing Project

The City of San Jose (City) received a \$62,727 Safe, Clean Water and Natural Flood Protection grant to install surface improvements for a project to build a trail connection between Lake Almaden and the Guadalupe Creek Trail. The project began on January 1, 2014 and was completed on September 30, 2017.

The City constructed a 600ft-long paved under-crossing structure, that included:

- A 150ft long retaining wall, which reduces embankments along the narrow site;
- Planting a 1,000sqft mitigation site along Calero Creek;
- Striping, with airport-rated glass beads for visibility; and
- Meeting all Caltrans requirements for a Class I Bikeway and slopes support wheelchair access per the ADA.

Additionally, the City worked through years of regulatory coordination to obtain permits, identify and plan for mitigation, and keep within budget to complete the project.

Benefits of the new Coleman Road Under-Crossing include:

- Providing clear passage beneath busy Coleman Road;
- Providing a continuous trail loop at Lake Almaden;
- Improving the connection to Guadalupe Creek Trail;
- Improving access to Almaden Light Rail Station; and

- Improving access to four trails:
 - Guadalupe River (across the creek)
 - Guadalupe Creek (across the expressway)
 - Los Alamitos Creek (beyond the lake, to the south)
 - Lake Almaden Trail

The grantee's final report on the completed project is included in the board's February 2, 2018 Non-Agenda package.

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

Estremera and Kremen

Staff to work with Mr. Galvan on his concerns expressed during the January 9, 2018 board meeting during public comment on human remains in the Permanente Creek and report back to the board on the outcome
R-18-0001

Mr. Galvan expressed concerns about the Permanente Creek Flood Protection Project's (Project) staffing of archaeological professionals. In response, staff reviewed the qualifications and performance of the archaeological professionals. Jacobs (formerly doing business as CH2M) was acquired to prepare and implement a Burial Treatment and Monitoring Plan for the Project. Staff has confirmed that Jacobs has been implementing the Burial Treatment and Monitoring Plan consistent with professional standards for staffing archaeological field investigations. Specifically, site activities have been in full compliance with the United States Secretary of Interior Standards for Archaeology, as well as the Society of California Archaeology professional qualifications standards. It is also noted that all activities, since October 10, 2017, have been conducted in the presence of the Most Likely Descendent (MLD) or his representative, consistent with MLD direction.

Jacobs' efforts are being managed out of their Santa Ana office, led by Project Manager, James Gorham. Mr. Gorham's role is limited to management of the consultant services agreement. Archaeological site activities and investigations are overseen by Principle Investigator, Phil Reid. Mr. Reid provides onsite supervision, as needed, consistent with the Burial Treatment and Monitoring Plan and applicable professional standards. The team also includes a Field Director, met by Francisco Arellano, and Crew Members, met by Paul Hornbeek and Izchel Moreno. As a contingency for staffing shortfalls, Jacobs has also obtained the services of sub consultants, Michelle Fitzgerald and Basin Research Associates, to support osteological and field crew member services, should existing staff resources be stretched.

Additionally, to ensure proper implementation of archaeological activities, the project team has taken the proactive steps to initiate a formal communication protocol. To ensure full coordination and alignment, Mr. Reid provides daily updates of site activities in writing to the district, MLD, and construction management team. Staff is also working with Mr. Galvan on a consultant service agreement to provide additional budget for observation of removal of Native American burials and associated artifacts and reburial preparation services.

We look forward to continuing our collaborative effort with Mr. Galvan to ensure the continued respectful and sensitive treatment of ancestral remains and artifacts.

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