



BOARD OF DIRECTORS MEETING

# MINUTES

**SPECIAL JOINT MEETING  
WEDNESDAY, MARCH 21, 2018  
5:00 PM**

(Paragraph numbers coincide with agenda item numbers)

**1. CALL TO ORDER:**

A Special Meeting of the Santa Clara Valley Water District Board of Directors was called to order in the District Headquarters Building Boardroom at 5700 Almaden Expressway, San Jose, California, at 5:00 p.m.

**1.1. Roll Call.**

Board members in attendance were Tony Estremera, Nai Hsueh, Barbara Keegan, Gary Kremen, Linda J. LeZotte, Richard Santos, and John L. Varela, constituting a quorum of the Board.

Staff members in attendance were N. Camacho, Chief Executive Officer (CEO), M. King, Clerk/Board of Directors, J. Aranda, K. Arends, M. Baratz, R. Callender, A. Comelo, A. Fulcher, R. Gibson, V. Gin, C. Hakes, G. Hall, N. Hawk, N. Nguyen, K. Oven, A. Rouhani, D. Taylor, S. Tikekar, S. Tippets, and T. Yoke. Senior Assistant District Counsel Brian Hopper represented District Counsel Stan Yamamoto.

**2. TIME CERTAIN:**

**5:00 P.M.**

The Board considered items 2.1 through 2.3 under one motion.

Chairperson Santos acknowledged receipt of the attached comments from Mr. Doug Muirhead, Morgan Hill resident, and Ms. Marisela Benitez, Assistant Engineer II, identified as Handouts 2.1-A and 2.1-B, herein respectively.

Mr. George Cook, Senior Water Resources Specialist, read comments on behalf of Mr. Stanley Young, International Federation of Professional and Technical Engineers, Local 21, identified herein as Handout 2.2-A, herein; and expressed appreciation on behalf of the Engineers Society (ES) for the collaborative efforts between the District and Engineers Society during labor negotiations, and acknowledged the ES Bargaining

Team for their efforts and commitment.

Copies of the Handout were distributed to the Board and made available to the public.

Mr. John Tucker, Association of Federal, State, County and Municipal Employees, expressed appreciation for the Boards leadership and support of collaborative labor negotiations.

Ms. Ingrid Bella, Employees Association (EA), expressed appreciation for the collaborative labor negotiations efforts and acknowledged the EA Bargaining Team for their efforts and commitment.

Directors Estremera, Kremen and Varela commended staff for their efforts during labor negotiations, and congratulated all the on reaching agreement on the various Memorandums of Understanding.

2.1. Consideration of Memorandum of Understanding Between Santa Clara Valley Water District and Employees Association (EA) AFSCME Local 101.

- Recommendation:
- A. Adopt the resolution APPROVING THE TERMS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE SANTA CLARA VALLEY WATER DISTRICT AND THE EMPLOYEES ASSOCIATION, AFSCME LOCAL 101, FOR THE PERIOD OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2021;
  - B. Authorize the Chief Executive Officer to sign the Memorandum of Understanding in substantially the same form as the draft version;
  - C. Authorize the Labor Relations Officer to sign the Side Letter of Agreement regarding Designation of Confidential Employees; and
  - D. Authorize the Labor Relations Officer to sign the Side Letter of Agreement regarding the Silicon Valley Advance Water Purification Center (SVAWPC).

Mr. Cook acknowledged the ES Bargaining Team. Members for their efforts and commitment.

2.2. Consideration of Memorandum of Understanding Between Santa Clara Valley Water District and Engineers Society, IFPTE Local 21.

- Recommendation:
- A. Adopt the resolution APPROVING THE TERMS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE SANTA CLARA VALLEY WATER DISTRICT AND THE ENGINEERS SOCIETY, IFPTE LOCAL 21, FOR THE PERIOD OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2021; and

- B. Authorize the Chief Executive Officer to sign the Memorandum of Understanding in substantially the same form as the draft version.

2.3. Consideration of Memorandum of Understanding Between Santa Clara Valley Water District and Professional Managers Association (PMA), IFPTE Local 21.

- Recommendation:
- A. Adopt the resolution APPROVING THE TERMS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE SANTA CLARA VALLEY WATER DISTRICT AND THE PROFESSIONAL MANAGERS ASSOCIATION IFPTE LOCAL 21 FOR THE PERIOD OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2021; and
  - B. Authorize the Chief Executive Officer to sign the Memorandum of Understanding in substantially the same form as the draft version.

Motion:

Approve Items 2.1 through 2.3 under one motion, as follows: Adopt Resolution No. 18-06, APPROVING THE TERMS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE SANTA CLARA VALLEY WATER DISTRICT AND THE EMPLOYEES ASSOCIATION, AFSCME LOCAL 101, FOR THE PERIOD OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2021, by roll call vote, as contained in Item 2.1; adopt Resolution No. 18-07, APPROVING THE TERMS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE SANTA CLARA VALLEY WATER DISTRICT AND THE ENGINEERS SOCIETY, IFPTE LOCAL 21, FOR THE PERIOD OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2021, by roll call vote, as contained in Item 2.2; and adopt Resolution No. 18-08, APPROVING THE TERMS OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE SANTA CLARA VALLEY WATER DISTRICT AND THE PROFESSIONAL MANAGERS ASSOCIATION, IFPTE LOCAL 21 FOR THE PERIOD OF JANUARY 1, 2018 THROUGH DECEMBER 31, 2021, by roll call vote, as contained in Item 2.3; authorize the Chief Executive Officer to sign the Memorandums of Understanding in substantially the same form as the draft versions as contained in Item 2.1 through 2.3; and authorize the Labor Relations Officer to sign the Side Letters of Agreement as contained in Item 2.1.

Move to Adopt:	Tony Estremera
Second:	Barbara Keegan
Yeas:	Tony Estremera, Nai Hsueh, Barbara Keegan, Gary Kremen, Linda J. LeZotte, Richard Santos, John L. Varela
Nays:	None
Abstains:	None
Recuses:	None
Absent:	None
Summary:	7 Yeas; 0 Nays; 0 Abstains; 0 Absent.

Chairperson Santos declared a brief recess. Upon resuming the meeting, the same Board members and staff were present.

### 3. **CONSENT CALENDAR: (3.1 - 3.4)**

Chairperson Santos removed Item 3.3 from the Consent Calendar for individual consideration, and the Board considered Consent Calendar Items 3.1 and 3.2, under one motion.

Mr. Christian Ruiz, Organization for Latino Affairs (OLA), introduced OLA Board Members, encouraged the Board to adopt the resolution declaring March 25 - 31, 2018 as a week of public service in honor of Cesar Chavez, and invited Board members to attend OLA's upcoming event honoring Cesar Chavez.

#### 3.1. Resolution Declaring March 25-31, 2018, as a Week of Public Service in Honor of César Chávez.

Recommendation:	A. Recognize and observe March 25-31, 2018, as a week of public service in honor of CESAR Chavez; and
	B. Adopt the Resolution DECLARING MARCH 25-31, 2018, AS A WEEK OF PUBLIC SERVICE IN HONOR OF CESAR CHAVEZ.

#### 3.2. Resolution of the Board of Directors of the Santa Clara Valley Water District Adopting Employee Salary Schedule - Effective July 1, 2017.

Recommendation:	Adopt the Resolution ADOPTING EMPLOYEE SALARY SCHEDULE - EFFECTIVE JULY 1, 2017.
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Motion:	Approve Consent Calendar Items 3.1 and 3.2 under one motion, as follows: Adopt Resolution No. 18-09, DECLARING MARCH 25-31, 2018, AS A WEEK OF PUBLIC SERVICE IN HONOR OF CESAR CHAVEZ, by roll call vote, as contained in Item 3.1; and adopt Resolution No. 18-10, ADOPTING EMPLOYEE SALARY SCHEDULE - EFFECTIVE JULY 1, 2017, by roll call vote, as contained in Item 3.2
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Move to Adopt: John L. Varela  
 Second: Tony Estremera  
 Yeas: Tony Estremera, Nai Hsueh, Barbara Keegan, Gary Kremen, Linda J. LeZotte, Richard Santos, John L. Varela  
 Nays: None  
 Abstains: None  
 Recuses: None  
 Absent: None  
 Summary: 7 Yeas; 0 Nays; 0 Abstains; 0 Absent.

- 3.3. Resolution of the Board of Directors of the Santa Clara Valley Water District Adopting Compensation Plan for Unrepresented Employees in the Executive Service - Effective July 1, 2018.

Recommendation: Adopt Resolution APPROVING COMPENSATION PLAN FOR UNREPRESENTED EMPLOYEES IN THE EXECUTIVE SERVICE.

The Board continued Item 3.3 to a future meeting.

- 3.4. Item moved to March 27, 2018.

## **REGULAR AGENDA:**

### **4. WATER UTILITY ENTERPRISE:**

- 4.1. Amendment No. 2 to Agreement A3901G with HDR Engineering, Inc., for Project Management Services for a Not-to-Exceed Fee of \$5,766,250, Resulting in a Total Not-to-Exceed Fee of \$8,077,765; Amendment No. 3 to Agreement A3611A With Public Resources Advisory Group for Financial Advisory Services for a Not-to-Exceed Fee of \$3,410,000, Resulting in a Total Not-to-Exceed Fee of \$5,666,000 for the Expedited Purified Water Program Project, Project No. 91304001; and Forms of Installment Purchase Agreement and Trust Agreement Relating to Santa Clara Valley Water District Revenue Certificates of Participation.

Recommendation: A. Approve Amendment No. 2 to Agreement A3901G with HDR Engineering Incorporated for Expedited Purified Water Program Project Management Services for a not-to-exceed fee of \$5,766,250, resulting in a total not-to-exceed fee of \$8,077,765;  
 B. Approve Amendment No. 3 to Agreement A3611A with Public Resources Advisory Group (PRAG) for Financial Advisory Services for a not-to-exceed fee of \$3,410,000, resulting in a total not-to-exceed fee of \$5,666,000; and  
 C. Approve the Forms of Installment Purchase Agreement and Trust Agreement Relating to Santa Clara Valley Water District Revenue Certificates of Participation (Water Utility System Improvement Projects).

Ms. Katherine Oven, Deputy Operating Officer, reviewed the information on this item, per the attached Board Agenda Memo.

Move to Approve: Nai Hsueh  
Second: John L. Varela  
Yeas: Tony Estremera, Nai Hsueh, Barbara Keegan, Gary Kremen, Linda J. LeZotte, Richard Santos, John L. Varela  
Nays: None  
Abstains: None  
Recuses: None  
Absent: None  
Summary: 7 Yeas; 0 Nays; 0 Abstains; 0 Absent.

4.2. Asset Management Program Update.

Recommendation: Receive an update on the Asset Management Program.

Chairperson Santos acknowledged receipt of the attached comments from Mr. Muirhead, identified as Handout 4.2-A, herein. Copies of the Handout were distributed to the Board and made available to the public.

Ms. Erin Baker, Asset Management Manager, reviewed the information on this item, per the attached Board Agenda Memo, and the corresponding materials contained in Attachment 3.

The Board noted the information, without formal action.

Chairperson Santos declared a brief recess, and upon reconvening the meeting, the same Board members and staff were present.

**5. TIME CERTAIN:**

**6:00 PM**

**JOINT MEETING WITH MILPITAS CITY COUNCIL:**

5.1. Roll Call.

Board Members in attendance were Tony Estremera, Gary Kremen, Linda J. LeZotte, Barbara Keegan, Richard Santos, John L. Varela, and Nai Hsueh, constituting a quorum of the Board.

Milpitas City Councilmembers in attendance were Mayor Rich Tran, Vice Mayor Marsha Grilli and Councilmember Bob Nunez.

Councilmember Anthony Phan was excused from attending, and Councilmember Garry Barbadillo arrived as noted below.

Milpitas City staff in attendance were: J. Edmonds-Mares, City Manager, H. Lee, Attorney, M. Lavelle, City Clerk, P. Caronongan and T. Ndah.

5.2. Pledge of Allegiance/National Anthem.

Ms. Glenna Brambill, Management Analyst II, sang the National Anthem.

5.3. Opening Comments/Introductions.

Chairperson Santos, Vice Mayor Grilli, Councilmember Nunez and City Manager Edmonds-Mares provided opening comments.

5.4. Overview of the District's Water Infrastructure, Wholesale Supply and Financial Projections.

Recommendation: That the Santa Clara Valley Water District Board of Directors and Milpitas City Council direct their respective staff to continue their commitment to meaningful engagement in pursuit of new and innovative partnership opportunities for the continued delivery of a safe, and reliable water supply in Santa Clara County.

Ms. Oven reviewed the information on this item, per the attached Board Agenda Memo, and the corresponding presentation materials contained in Attachment 1 were reviewed by staff as follows: Mr. Garth Hall, Deputy Operating Officer, reviewed Slides 1 through 7; Ms. Oven reviewed Slides 8 through 11; and Mr. Darin Taylor, Chief Financial Officer, reviewed Slides 12 through 16.

Councilmember Barbadillo arrived.

Chairperson Santos called for public comment on Item 5.4. There was no one present who wished to speak.

Motion: That the Santa Clara Valley Water District Board of Directors and Milpitas City Council direct their respective staff to continue their commitment to meaningful engagement in pursuit of new and innovative partnership opportunities for the continued delivery of a safe, and reliable water supply in Santa Clara County; and expand on communicating and educating constituents on the cost-effective ways and programs used to manage water infrastructure and supply.

Move to Approve: Garry Barbadillo  
Second: Bob Nunez

Yeas: Garry Barbadillo, Marsha Grilli, Bob Nunez, Rich Tran  
Nays: None  
Absent: Anthony Phan  
Abstain: None  
Summary: 4 Yeas, 0 Nays, 1 Absent, 0 Abstain.

Yeas: Tony Estremera, Nai Hsueh, Barbara Keegan, Gary Kremen, Linda J. LeZotte, Richard Santos, John L. Varela  
Nays: None  
Abstains: None  
Recuses: None  
Absent: None  
Summary: 7 Yeas; 0 Nays; 0 Abstains; 0 Absent.

The Board and Council suggested that City and District staff place an item on a Milpitas City Council agenda, to present information and educate Milpitas constituents on the costs associated with the Anderson Dam seismic retrofit project.

5.5. Opportunities for Coordination and Collaboration on Projects Benefiting Milpitas (District 3).

Recommendation: That the Board and City Council acknowledge District and City staff efforts and provide direction to work collaboratively on land rights exchanges, recreational trail planning, and recreation and flood protection benefits.

Ms. Sue Tippets, Deputy Operating Officer, reviewed the information on this item, per the attached Board Agenda Memo.

Chairperson Santos called for public comment on Item 5.5. There was no one present who wished to speak.

Motion: That the Board and City Council direct District and City staff to work collaboratively on land rights exchanges, recreational trail planning, and recreation and flood protection benefits that protect the interests of both agencies.

Move to Approve: Garry Barbadillo  
Second: Bob Nunez

Yeas: Garry Barbadillo, Marsha Grilli, Bob Nunez, Rich Tran  
Nays: None  
Absent: Anthony Phan  
Abstain: None  
Summary: 4 Yeas, 0 Nays, 1 Absent, 0 Abstain.

Yeas: Tony Estremera, Nai Hsueh, Barbara Keegan, Gary Kremen, Linda J. LeZotte, Richard Santos, John L. Varela  
Nays: None  
Abstains: None  
Recuses: None  
Absent: None  
Summary: 7 Yeas; 0 Nays; 0 Abstains; 0 Absent.



- 5.6. 2018 Legislative Efforts and Recommended Positions on State Legislation: Senate Bill 881 (Wieckowski) Shoreline Subventions, Senate Bill 1301 (Beall) Expedited Permitting and Transparency for Human Life Safety Projects, and Assembly Bill 1889 Santa Clara Valley Water District Act Revisions.

- Recommendation:
- A. That the Board and City Council direct District and City staff to work together on advocacy efforts on water supply, flood protection, and other issues of mutual interest, including letter of support on bills and/or rulemaking actions, advocacy with federal and state elected officials and regulatory agency officials, and other actions; and
  - B. That the City Council consider supporting Senate Bill 881, Senate Bill 1301, and Assembly Bill 1889.

Ms. Rachael Gibson, Deputy Operating Officer, reviewed the information on this item, per the attached Board Agenda Memo.

Chairperson Santos called for public comment on Item 5.6. There was no one present who wished to speak.

Motion: That the Board and City Council direct District and City staff to work together on advocacy efforts on water supply, flood protection, and other issues of mutual interest, including a letter of support on bills and/or rulemaking actions, advocacy with federal and state elected officials and regulatory agency officials, and other actions; and that the City Council will consider, upon analysis, supporting Senate Bill 881, Senate Bill 1301, and Assembly Bill 1889, in the presence of their full Council.

Move to Approve: Bob Nunez  
Second: Garry Barbadillo

Yeas: Garry Barbadillo, Marsha Grilli, Bob Nunez, Rich Tran  
Nays: None  
Absent: Anthony Phan  
Abstain: None  
Summary: 4 Yeas, 0 Nays, 1 Absent, 0 Abstain.

Yeas: Tony Estremera, Nai Hsueh, Barbara Keegan, Gary Kremen, Linda J. LeZotte, Richard Santos, John L. Varela  
Nays: None  
Abstains: None  
Recuses: None  
Absent: None  
Summary: 7 Yeas; 0 Nays; 0 Abstains; 0 Absent.

Director Varela requested that staff agendaize SB 623, Water Quality: Safe and Affordable Drinking Water Fund and AB 2050, Small System Water Authority Act of 2018, for discussion at a future Board meeting. (Board Member Request No. 18-0006)

5.7. Emergency Services Coordination.

Recommendation: That the Board and City Council direct District and City staff to commit to ongoing and strengthened coordination and partnership on emergency activities and service.

Mr. Alexander Gordon, Emergency and Security Manager, reviewed the information on this item, per the attached Board Agenda Memo, and per the information contained in Attachment 1.

Chairperson Santos called for public comment on Item 5.7. There was no one present who wished to speak.

Move to Approve: Bob Nunez  
Second: Garry Barbadillo

Yeas: Garry Barbadillo, Marsha Grilli, Bob Nunez, Rich Tran  
Nays: None  
Absent: Anthony Phan  
Abstain: None  
Summary: 4 Yeas, 0 Nays, 1 Absent, 0 Abstain.

Yeas: Tony Estremera, Nai Hsueh, Barbara Keegan, Gary Kremen, Linda J. LeZotte, Richard Santos, John L. Varela  
Nays: None  
Abstains: None  
Recuses: None  
Absent: None  
Summary: 7 Yeas; 0 Nays; 0 Abstains; 0 Absent.

5.8. Time Open for Public Comment on any Item not on the Agenda.

Chairperson Santos declared time open for public comment on any item not on the agenda. There was no one present who wished to speak.

**6. ADJOURN:**

6.1. Clerk Review and Clarification of Board Requests.

Ms. Michele King, Clerk/Board of Directors, read the new Board Member Request into the record.

- 6.2. Adjourn to 4:00 p.m. Closed Session and 6:00 p.m. Regular Meeting on March 27, 2018, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.

Chairperson Santos adjourned the meeting at 8:25 p.m. to the 4:00 p.m. Closed Session and 6:00 p.m. Regular Meeting on March 27, 2018, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.

Michele L. King, CMC  
Clerk/Board of Directors

Approved:

Date:

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