



BOARD OF DIRECTORS MEETING

MINUTES

**CLOSED SESSION AND REGULAR MEETING
TUESDAY, MAY 14, 2019
11:00 AM**

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER:

A Closed Session and Regular Meeting of the Santa Clara Valley Water District (Valley Water) Board of Directors was called to order in the Valley Water Headquarters Building Boardroom at 5700 Almaden Expressway, San Jose, California, at 11:00 a.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.

Director Kremen participated by teleconference, from the location disclosed on the agenda. As a result of Director Kremen's teleconference participation, all votes herein were taken by roll call, in compliance with the Brown Act.

Staff members in attendance were N. Camacho, Chief Executive Officer (CEO), S. Yamamoto, District Counsel, M. King, Clerk, Board of Directors, J. Aranda, K. Arends, L. Bankosh, M. Baratz, R. Callender, M. Cook, G. De La Piedra, A. Fulcher, R. Gibson, V. Gin, C. Hakes, N. Hawk, N. Nguyen, K. Oven, M. Richardson, D. Taylor, S. Tippetts, and T. Yoke.

2. TIME CERTAIN:

11:00 AM

Chairperson LeZotte confirmed that Item 2.1 had been removed from the agenda, and that the Board would adjourn to Closed Session for consideration of Items 2.2 and 2.3.

2.1. ITEM REMOVED FROM AGENDA. (CLOSED SESSION)

2.2. CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL
CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8:
Setting Negotiation Parameters for Price and Terms of Payment for Acquiring
Property Interest in 320 E. San Martin Avenue, San Martin, CA 95046
(APN 825-37-033)
Negotiators: Norma Camacho, Nina Hawk, Christopher Hakes, Stephen
Ferranti, Eli Serrano, Bill Magleby

2.3. CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant Exposure to Litigation
Pursuant to Government Code Section 54956.9(d)(2)
One Potential Case

Upon return to Open Session, the same Board members, including Director
Kremen via teleconference, and staff were present.

1:00 PM

2.4. District Counsel Report.

Mr. Stan Yamamoto, District Counsel, reported that in regard to Items 2.2 and
2.3, the Board met in Closed Session with all members present, including
Director Kremen via teleconference, and gave direction to staff.

2.5. Pledge of Allegiance/National Anthem.

Chairperson LeZotte led all present in reciting the Pledge of Allegiance.

2.6. Orders of the Day.

Chairperson LeZotte confirmed that there were no changes to the Orders of the
Day.

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

Mr. Mike Flaughner, San Francisco resident, expressed appreciation for Valley
Water's collaboration on the Penitencia Creek Trail Improvement Project, and
suggested a trail opening ceremony be held on completion of the Bay Area Rapid
Transit Station.

Chairperson LeZotte acknowledged receipt of the attached email from Ms. Katja
Irvin, San Jose resident, identified as Handout 2.7-A, herein, expressing concern
and requesting opportunity for public comment on land purchase within Merced
County. Copies of the Handout were distributed to the Board, and made available
to the public.

2.8. Resolution of Appreciation to Susan L. Turner, Real Estate Services Manager, Upon Her Retirement.

Recommendation: Adopt the Resolution EXPRESSING APPRECIATION TO SUSAN L. TURNER, Real Estate Services Manager.

Mr. Ngoc Nguyen, Deputy Operating Officer, reviewed the information on this item, per the attached Board Agenda Memo.

Motion: Adopt Resolution 19-32, EXPRESSING APPRECIATION TO SUSAN L. TURNER, REAL ESTATE SERVICES MANAGER, by roll call vote.

Move to Adopt: Richard Santos

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.

2.9. Public Hearing - Annual Report Recommending Flood Control Benefit Assessments and Resolution Setting Benefit Assessment Revenue for Fiscal Year 2019-2020.

Recommendation: A. Open the annual public hearing to consider any comments regarding the flood control benefit assessments for Fiscal Year 2019-2020 (FY 2019-20);
B. Close the Public Hearing; and
C. Adopt the Resolution ESTABLISHING LAND USE CATEGORIES, CONFIRMING A LEVY OF BENEFIT ASSESSMENTS TO MEET DULY AUTHORIZED DEBT OBLIGATIONS FOR FY 2019-2020 IN FLOOD CONTROL ZONES OF SANTA CLARA VALLEY WATER DISTRICT, IN ACCORDANCE WITH RESOLUTION NOS. 86-54, 86-55, 86-56, 86-57, AND 90-7, AND AUTHORIZING A PROCEDURE FOR CORRECTING ASSESSMENTS.

Chairperson LeZotte opened the Public Hearing.

Ms. Jennifer Abadilla, Senior Management Analyst, reviewed the information on this item, per the attached Board Agenda Memo.

Chairperson LeZotte declared time open for public comment and, seeing no one present who wished to speak, closed the Public Hearing.

Motion: Adopt Resolution No. 19-33, ESTABLISHING LAND USE CATEGORIES, CONFIRMING A LEVY OF BENEFIT ASSESSMENTS TO MEET DULY AUTHORIZED DEBT OBLIGATIONS FOR FY 2019-2020 IN FLOOD CONTROL ZONES OF SANTA CLARA VALLEY WATER DISTRICT, IN ACCORDANCE WITH RESOLUTION NOS. 86-54, 86-55, 86-56, 86-57, AND 90-7, AND AUTHORIZING A PROCEDURE FOR CORRECTING ASSESSMENTS, by roll call vote.

Move to Adopt: Richard Santos
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.

2.10. Public Hearing and Resolution Approving the Santa Clara Valley Water District's Fiscal Years 2020-2024 Five-Year Capital Improvement Program.

Recommendation: A. Re-convene the public hearing from April 24, 2019 to receive comments regarding the Santa Clara Valley Water District's (Valley Water) FY 2020-2024 Five-Year Capital Improvement Program (CIP);
B. Close the public hearing; and
C. Adopt the Resolution APPROVING FISCAL YEARS 2020-2024 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM.

Chairperson LeZotte opened the Public Hearing.

Mr. Nguyen, Mrs. Katherine Oven and Mr. Chris Hakes, Deputy Operating Officers, and Ms. Beth Redmond, Capital Program Planning and Analysis Manager, reviewed the information on this item, per the attached Board Agenda Memo, and the corresponding presentation materials contained in Attachment 2 were reviewed by Mr. Nguyen.

Chairperson LeZotte declared time open for public comment and, seeing no one present who wished to speak, closed the Public Hearing.

Motion: Adopt Resolution No. 19-34, APPROVING FISCAL YEARS 2020-2024 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM, by roll call vote.

Move to Adopt: Tony Estremera
Second: Richard Santos
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.

2.11. Safe, Clean Water and Natural Flood Protection Special Tax Summary Report and Resolution Providing for Levy of the Special Tax Rates and Authorizing a Procedure for Correcting Special Tax Amounts for Fiscal Year 2019-2020.

Recommendation: A. Accept the Fiscal Year 2019-2020 Safe, Clean Water and Natural Flood Protection Special Tax Summary Report; and
 B. Adopt the Resolution PROVIDING FOR LEVY OF THE SPECIAL TAX PURSUANT TO THE SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION MEASURE IN THE COMBINED FLOOD CONTROL ZONE OF THE SANTA CLARA VALLEY WATER DISTRICT AND AUTHORIZING A PROCEDURE FOR CORRECTING SPECIAL TAX AMOUNTS FOR FISCAL YEAR 2019-2020.

Motion: Accept the Fiscal Year 2019-2020 Safe, Clean Water and Natural Flood Protection Special Tax Summary Report, and adopt Resolution No. 19-35, PROVIDING FOR LEVY OF THE SPECIAL TAX PURSUANT TO THE SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION MEASURE IN THE COMBINED FLOOD CONTROL ZONE OF THE SANTA CLARA VALLEY WATER DISTRICT AND AUTHORIZING A PROCEDURE FOR CORRECTING SPECIAL TAX AMOUNTS FOR FISCAL YEAR 2019-2020, by roll call vote.

Move to Adopt: Nai Hsueh
 Second: Richard Santos
 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.

2.12. Adoption of Groundwater Production and Other Water Charges for District Fiscal Year 2019-2020.

Recommendation: A. Adopt a Resolution DETERMINING GROUNDWATER PRODUCTION CHARGES FOR FISCAL YEAR 2019-2020; and
 B. Adopt a Resolution DETERMINING SURFACE WATER, TREATED WATER, AND SOUTH COUNTY

RECYCLED WATER CHARGES FOR FISCAL YEAR
2019-2020.

Mr. Darin Taylor, Chief Financial Officer, reviewed the information on this item, per the attached Board Agenda Memo.

Chairperson LeZotte acknowledged the receipt of the attached City of Morgan Hill Resolution opposing reduction of the Open Space Credit (OSC), the attached memorandum from Ms. Michele King, Clerk, Board of Directors, confirming no majority protest was received to the Fiscal Year 2020 Surface Water Charges, and the attached emails from Mr. Dave Poeschel, San Jose resident, and Mr. Javier Espinola, of undisclosed residency, expressing support for elimination of agricultural water rate subsidies, identified as Handouts 12-a through 12-D herein, respectively. Copies of the Handouts were distributed to the Board and made available to the public.

Two comments expressing support for a two-year freeze on agricultural water rates were received from Mr. Flaughner, and from Mr. Christopher Holm, representing Santa Clara County District 1 Supervisor Mike Wasserman. Mr. Holm additionally expressed concern about permanent elimination of the Open Space Credit.

Motion: Adopt Resolution Nos. 19-36, DETERMINING GROUNDWATER PRODUCTION CHARGES FOR FISCAL YEAR 2019-2020, and Resolution No. 19-37, DETERMINING SURFACE WATER, TREATED WATER, AND SOUTH COUNTY RECYCLED WATER CHARGES FOR FISCAL YEAR 2019-2020, by roll call vote.

Move to Adopt: Tony Estremera
Second: Nai Hsueh
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.

2.13. Resolutions Adopting the Fiscal Year 2019-2020 Operating and Capital Budget and Levy of Ad-valorem Property Taxes.

Recommendation: A. Discuss and adopt a Resolution APPROVING AND ADOPTING THE OPERATING AND CAPITAL BUDGET FOR FISCAL YEAR 2019-2020;
B. Discuss and adopt a Resolution PROVIDING FOR LEVY OF AD VALOREM REAL PROPERTY TAXES IN FISCAL YEAR 2019-2020 TO MEET THE COST OF ITS WATER SUPPLY CONTRACT WITH THE STATE OF CALIFORNIA; and

C. Approve the Santa Clara Valley Water District (Valley Water) Reserve Policy.

Mr. Taylor reviewed the information on this item, per the attached Board Agenda Memo.

Motion: Adopt Resolution Nos. 19-38, APPROVING AND ADOPTING THE OPERATING AND CAPITAL BUDGET FOR FISCAL YEAR 2019-2020, and 19-39, PROVIDING FOR LEVY OF AD VALOREM REAL PROPERTY TAXES IN FISCAL YEAR 2019-2020 TO MEET THE COST OF ITS WATER SUPPLY CONTRACT WITH THE STATE OF CALIFORNIA, by roll call vote, and approve the Santa Clara Valley Water District Reserve Policy.

Move to Adopt: Tony Estremera
Second: Richard Santos
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. CONSENT CALENDAR:

Chairperson LeZotte removed Items 3.4 and 3.7 from the Consent Calendar, and the Board considered Consent Calendar Item 3.1 through 3.3, 3.5, 3.6, and 3.8 through 3.12, under one motion and roll call vote.

3.1 Resolution Delegating Authority to Deposit and Invest Funds to the Treasurer or his or her Designee.

Recommendation: A. Adopt the Resolution DELEGATING AUTHORITY TO DEPOSIT AND INVEST FUNDS TO THE TREASURER OR HIS OR HER DESIGNEE; and
B. Approve the Board Investment Policy for Fiscal Year 2019-20.

3.2 Resolution Declaring May 18, 2019, as National River Cleanup Day in Santa Clara County.

Recommendation: Adopt the Resolution DECLARING MAY 18, 2019, AS NATIONAL RIVER CLEANUP DAY IN SANTA COUNTY.

3.3 Resolution Proclaiming May 19-25, 2019, as National Public Works Week.

Recommendation: Adopt the Resolution PROCLAIMING MAY 19-25, 2019, AS NATIONAL PUBLIC WORKS WEEK.

- 3.5 Adopt Plans and Specifications and Authorize Advertisement for Bids for the Cross Valley and Calero Pipelines Inspection and Rehabilitation Project, Project No. 95084002, Contract No. C0650 (San Jose, Morgan Hill, and Unincorporated Santa Clara County), (Districts 1 and 7).

Recommendation: A. Adopt Plans and Specifications and Authorize Advertisement for Bids for the Cross Valley and Calero Pipelines Inspection and Rehabilitation Project, per the Notice to Bidders;
 B. Find that the Cross Valley and Calero Pipelines Inspection and Rehabilitation Project is substantially complex and requires a construction contract retention of 10 percent; and
 C. Authorize the Designated Engineer to issue addenda, as necessary, during the bidding process.

- 3.6 Adopt Plans and Specifications and Authorize Advertisement for Bids for the Phase 1 Construction of the Upper Llagas Creek Flood Protection Project, Project No. 26174052, Contract No. C0645 (Morgan Hill) (District 1).

Recommendation: A. Adopt the plans and specifications and authorize advertisement for bids for Phase 1 construction of the Upper Llagas Creek Flood Protection Project, per the Notice to Bidders; and
 B. Authorize the Designated Engineer to issue addenda, as necessary, during bidding.

- 3.8 Claim of Anthony McGilvery.

Recommendation: Deny the claim.

- 3.9 Notice of Completion of Contract and Acceptance of Work of the Wolfe Road Recycled Water Facilities Project, JMB Construction, Inc., Contractor, Project No. 91244001, Contract No. C0607 (Sunnyvale) (Districts 3 and 5).

Recommendation: A. Accept the work as complete on the Wolfe Road Recycled Water Facilities Project; and
 B. Direct the Clerk of the Board to sign the Notice of Completion of Contract and Acceptance of Work and submit for recording to the County of Santa Clara Office of the Clerk-Recorder.

- 3.10 Sponsorship of Silicon Valley Leadership Group's 2019 Energy and Sustainability Summit.

Recommendation: A. Receive information on the Silicon Valley Leadership Group's 2019 Energy and Sustainability Summit; and
 B. Approve the request for sponsorship in the amount of \$12,500.

3.11 CEO Bulletins for the Weeks of April 19-25, April 26-May 2 and May 3-9, 2019.

Recommendation: Accept the CEO Bulletins.

3.12 Approval of Minutes.

Recommendation: Approve the minutes.

Motion: Approve Consent Calendar Items 3.1 through 3.3, 3.5, 3.6 and 3.8 through 3.12 under one motion and roll call vote, as follows: adopt Resolution No. 19-40, DELEGATING AUTHORITY TO DEPOSIT AND INVEST FUNDS TO THE TREASURER OR HIS OR HER DESIGNEE and approve the Board Investment Policy for Fiscal Year 2019-20, as contained in Item 3.1; adopt Resolution No. 19-41, DECLARING MAY 18, 2019, AS NATIONAL RIVER CLEANUP DAY IN SANTA COUNTY, as contained in Item 3.2; adopt Resolution No. 19-42, PROCLAIMING MAY 19-25, 2019, AS NATIONAL PUBLIC WORKS WEEK, as contained in Item 3.3; adopt the plans and specifications and authorize advertisement for bids for the Cross Valley and Calero Pipelines Inspection and Rehabilitation Project per the Notice to Bidders, find that the Cross Valley and Calero Pipelines Inspection and Rehabilitation Project is substantially complex and requires a construction contract retention of 10 percent, and authorize the Designated Engineer to issue addenda, as necessary, during the bidding process, as contained in Item 3.5; adopt the plans and specifications and authorize advertisement for bids for construction of the Upper Llagas Creek Flood Protection Project, Phase 1 per the Notice to Bidders, and authorize the Designated Engineer to issue addenda, as necessary, during bidding, as contained in Item 3.6; deny the claim, as contained in Item 3.8; accept the work as complete on the Wolfe Road Recycled Water Facilities Project, and direct the Clerk of the Board to sign the Notice of Completion of Contract and Acceptance of Work and submit for recording to the County of Santa Clara Office of the Clerk-Recorder, as contained in Item 3.9; receive information on the Silicon Valley Leadership Group's 2019 Energy and Sustainability Summit, and approve the request for sponsorship in the amount of \$12,500, as contained in Item 3.10; accept the CEO Bulletins, as contained in Item 3.11; and approve the minutes, as contained in Item 3.12.

Move to Approve: Richard Santos

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.

Chairperson LeZotte returned the agenda to Item 3.4.

3.4 Resolution Recognizing May as Asian-Pacific American Heritage Month.

Recommendation: Adopt the Resolution RECOGNIZING MAY AS
ASIAN-PACIFIC AMERICAN HERITAGE MONTH.

Ms. Sunshine Julian, Associate Engineer, reviewed the information on this item, per the attached Board Agenda Memo, and Mr. Nguyen reviewed the corresponding presentation materials contained in Attachment 1.

Motion: Adopt Resolution No. 19-43, RECOGNIZING MAY AS
ASIAN-PACIFIC AMERICAN HERITAGE MONTH, by roll
call vote.

Move to Adopt: Tony Estremera
Second: Richard Santos
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.

3.7 Adopt Plans and Specifications and Authorize Advertisement for Bids for the Bolsa Road Fish Passage Improvement Project, Project No. 26044002, Contract No. C0652, (Gilroy) (District 1).

Recommendation: A. Adopt Plans and Specifications and authorize
advertisement for bids for construction of the Bolsa
Road Fish Passage Improvement Project, per the
Notice to Bidders; and
B. Authorize the Designated Engineer to issue addenda,
as necessary, during the bidding process.

The Board acknowledged the Upper Llagas Project Team for their work on the project.

Move to Approve: Tony Estremera
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.

REGULAR AGENDA:

4. BOARD OF DIRECTORS:

- 4.1 Board Committee Reports.
- A. Delta Conveyance Design and Construction Authority Update.
 - B. Delta Conveyance Finance Authority Update.
 - C. Water Conservation and Demand Management Committee
 - D. Joint Recycled Water Policy Advisory Committee
(City of San Jose/SCVWD/City of Santa Clara - TPAC)

In regard to Item 4.1-A, Director Estremera reported on Delta Conveyance Design and Construction Authority activities, changes to the Delta Tunnels project moving to a single tunnel project, and the formation of an Environmental Advisory Committee for the project.

In regard to Item 4.1-B, Director Kremen reported on the Delta Conveyance Finance Authority's activities, and that he reiterated the Board's support for a smaller, more environment friendly, single-tunnel project. He recapped the Committee's discussions regarding the importance of local purchases and outreach to the Delta community, resetting relationships with various agencies, and a review of the guiding principles.

Chairperson LeZotte acknowledged the receipt of the attached Water Conservation and Demand Management and Joint Recycled Water Policy Advisory Committee meeting summaries, identified as Handouts 4.1-C and 4.1-D, respectively, herein, and clarified that the purpose of the Water Conservation and Demand Management Committee was to investigate opportunities and feasibility for above and below ground water storage, and to bring information and recommendations to the full Board.

Director Hsueh reviewed and distributed the Capital Improvement Program Committee's April 17, 2019, meeting summary, identified as Handout 4.1-E. Copies of the Handout were distributed to the Board and made available to the public.

5. WATER UTILITY ENTERPRISE:

- 5.1 Amendment No. 2 to Agreement No. A3941A with GEI Consultants, Inc., for Design Consultant Services for the Guadalupe Dam Seismic Retrofit Project, Project No. 91894002 (San Jose) (District 7).

Recommendation: Approve Amendment No. 2 to Agreement No. A3941A with GEI Consultants Inc., for design consultant services for the Guadalupe Dam Seismic Retrofit Project, increasing the not-to-exceed compensation limit by \$1,474,569 resulting in a revised total not-to-exceed amount of \$7,375,787, and extend the Agreement term.

Mr. Chris Hakes, 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.

6. WATERSHEDS:

- 6.1 Budget Adjustment, Increase to Construction Contract Contingency Sum, and Notice of Completion of Contract and Acceptance of Work for the San Francisquito Creek Flood Protection Project, San Francisco Bay to Middlefield Road, Teichert Construction, Contractor, Project No. 26284002, Contract No. C0613 (Palo Alto) (District 7).

Recommendation: A. Approve a Fiscal Year 2019 budget adjustment in the amount of \$1,960,000 from Fund 26 Operating and Capital Reserves to the San Francisquito Creek Flood Protection Project, San Francisco Bay to Middlefield Road;
B. Approve an increase of \$1,408,120.33 to the construction contract contingency sum for the San Francisquito Creek Flood Protection Project, San Francisco Bay to Middlefield Road;
C. Accept the work as complete; and
D. Direct the Clerk of the Board to sign the Notice of Completion of Contract and Acceptance of Work and submit for recording to the Santa Clara County Clerk-Recorder.

Ms. Melanie Richardson, Chief Operating Officer, reviewed the information on this item, per the attached Board Agenda Memo.

Move to Approve: Tony Estremera
Second: Richard Santos
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.

7. EXTERNAL AFFAIRS:

The Board considered Item 7.1, without a staff presentation.

- 7.1 Recommended Positions on State Legislation: AB 143 (Quirk-Silva) Shelter Crisis: Homeless Shelters; AB 1745 (Kalra) Shelter Crisis: Emergency Bridge Housing Community: City of San Jose; and Other Legislation Which May Require Urgent Consideration for a Position by the Board.

Recommendation: A. Adopt a position of "Support" on: AB 143 (Quirk-Silva) Shelter Crisis: Homeless Shelters; and
B. Adopt a position of "Support" on: AB 1745 (Kalra) Shelter Crisis: Emergency Bridge Housing Community: City of San Jose.

Move to Adopt: John L. Varela
Second: Nai Hsueh
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.

8. CHIEF EXECUTIVE OFFICER:

- 8.1 Resolution Authorizing the Execution and Delivery of a Tax-Exempt Tax and Revenue Anticipation Note and a Taxable Tax and Revenue Anticipation Note to Support a Commercial Paper Program in a Combined Aggregate Principal Amount not to Exceed \$150 Million, Resolution Regarding Intention to Issue Tax-Exempt Obligations for Water Utility Enterprise, and Resolution Regarding Intention to Issue Tax-Exempt Obligations for Safe, Clean Water Program.

Recommendation: A. Adopt the Resolution AUTHORIZING THE EXECUTION AND DELIVERY OF A TAX-EXEMPT TAX AND REVENUE ANTICIPATION NOTE AND A TAXABLE TAX AND REVENUE ANTICIPATION NOTE (TRANS) TO SUPPORT A COMMERCIAL PAPER PROGRAM IN A COMBINED AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$150 MILLION;
B. Authorize the Chief Executive Officer, or Chief Financial Officer to execute the TRANS, and the Certificate as to Uncollected Taxes, Income, Revenue, Cash Receipts and Other Money;
C. Authorize the Chief Executive Officer, District Counsel, and such other chief executives of the District to execute such other instruments, documents and papers as are necessary to carry out this Commercial Paper Program for Fiscal Year 2019-20;
D. Authorize the District Counsel to execute the TRANS;

- E. Adopt the Resolution Regarding INTENTION TO ISSUE TAX-EXEMPT OBLIGATIONS FOR WATER UTILITY ENTERPRISE; and
- F. Adopt the Resolution Regarding INTENTION TO ISSUE TAX-EXEMPT OBLIGATIONS FOR SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM.

Mr. Steve Peters, Senior Management Analyst, reviewed the information on this item, per the attached Board Agenda Memo.

Motion: Approve Recommendations A through F, and Adopt Resolution No. 19-44, AUTHORIZING THE EXECUTION AND DELIVERY OF A TAX-EXEMPT TAX AND REVENUE ANTICIPATION NOTE AND A TAXABLE TAX AND REVENUE ANTICIPATION NOTE (TRANS) TO SUPPORT A COMMERCIAL PAPER PROGRAM IN A COMBINED AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$150 MILLION, Resolution No. 19-45, INTENTION TO ISSUE TAX-EXEMPT OBLIGATIONS FOR WATER UTILITY ENTERPRISE, and Resolution No. 19-46, INTENTION TO ISSUE TAX-EXEMPT OBLIGATIONS FOR SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM, by roll call vote.

Move to Adopt: Richard Santos
 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.

8.2 CEO and Chiefs' Report.

Ms. Nina Hawk provided a status on the Groundwater Benefit Zone Study and Dr. Robert Gross Recharge Ponds on Upper Penitencia Creek repairs; and advised the Board of meetings being held with water retailers to follow-up on a customer satisfaction survey responses, and staff participation in an algal toxin response table-top exercise.

Ms. Richardson reviewed planned activities of the 2019 Stream Maintenance Program, including the status of permits, an agency tour of scheduled maintenance projects, Regional Water Quality Control Board requirements for sediment reuse in the South Bay Salt Ponds, and other projects carried over from last year.

Ms. Tina Yoke, Chief Operating Officer, reported on the completion of upgrades to the electric vehicle charging stations at Valley Water Headquarters.

Mr. Rick Callender, Chief of External Affairs, reviewed the attached updates on the offices of Civic Engagement and Communications, identified as Handouts 8.2-A and 8.2-B, respectively, herein; and Ms. Rachel Gibson, Deputy Administrative Officer, reported on the Association of California Water Agencies (ACWA) Conference, the upcoming Sacramento Legislative Days, and the Valley Water community outreach booth program.

9. ADMINISTRATION:

None.

10. DISTRICT COUNSEL:

None.

11. ADJOURN:

11.1 Board Member Reports/Announcements.

Director Varela reported attending the Spring ACWA Conference.

Director Santos reported attending the aforementioned ACWA Conference, and an Open Space Authority of Santa Clara Valley (OSA) meeting.

Director Estremera reported attending the aforementioned DCA meeting and ACWA Conference, and a meeting with Metropolitan Water District of Southern California.

Director Kremen reported attending the aforementioned ACWA Conference; a Joint Meeting with Contra Costa Water District (CCWD); Board Audit and Joint Recycled Water Policy Advisory Committee meetings; a media training session; and a City of Palo Alto Recycled Water Strategic Planning Meeting.

Director Keegan reported attending the aforementioned ACWA Conference, Joint Meeting with CCWD, Board Audit Committee meeting, and media training session; Board Policy and Planning (BPPC), Coyote Flood Risk Reduction Ad Hoc, and Joint Recycled Water Policy Advisory Committee meetings; a Revenue Working Group meeting; and a meeting with City of Santa Clara officials. She acknowledged receipt of a constituent email, expressing appreciation for police activity on local streams.

Director Hsueh reported attending the aforementioned BPPC, OSA, and Revenue Working Group meetings; a Water Conservation and Demand Management Committee meeting; and various meetings with staff.

Chairperson LeZotte reported attending the aforementioned Joint Meeting with CCWD, Revenue Working Group meeting, and media training session; a meeting with the Youth Commission Chair; a Lakeview Estates Homeowners Association meeting; a meeting with Director Estremera regarding the Environmental

Compliance and Mitigation Committee for the Delta Tunnel Project; a Board Appointed Officer Compensation Working Group meeting; and various meetings with staff.

11.2 Proposed Future Board Member Agenda Items.

None.

11.3 Clerk Review and Clarification of Board Requests.

None.

11.4 Adjourn to 4:00 p.m. Closed Session and 6:00 p.m. Regular Meeting on May 28, 2018, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.

Chairperson LeZotte adjourned the meeting at 3:00 p.m., to the 4:00 p.m. Closed Session and 6:00 p.m. Regular Meeting on May 28, 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: