



Santa Clara Valley Water District Board of Directors Meeting

District Headquarters Board Room
5700 Almaden Expressway
San Jose, CA 95050

***AMENDED/APPENDED AGENDA**

**Tuesday, November 8, 2016
4:00 PM**

***ITEMS AMENDED AND/OR APPENDED SINCE THE ORIGINAL PUBLICATION OF THIS
AGENDA ARE IDENTIFIED BY AN ASTERISK (*) HEREIN**

District Mission: Provide Silicon Valley safe, clean water for a healthy life, environment and economy.

DISTRICT BOARD OF DIRECTORS

Barbara Keegan, Chair - District 2
John L. Varela, Vice Chair - District 1
Richard P. Santos - District 3
Linda J. LeZotte - District 4
Nai Hsueh - District 5
Tony Estremera - District 6
Gary Kremen - District 7

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the Clerk of the Board at the Santa Clara Valley Water District Headquarters Building, 5700 Almaden Expressway, San Jose, CA 95118, at the same time that the public records are distributed or made available to the legislative body. Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to attend Board of Directors' meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

NORMA CAMACHO
Interim Chief Executive Officer

MICHELE L. KING, CMC
Clerk of the Board
(408) 265-2600
Fax (408) 266-0271
www.valleywater.org

Note: The finalized Board Agenda, exception items and supplemental items will be posted prior to the meeting in accordance with the Brown Act.

**Santa Clara Valley Water District
Board of Directors**

***AMENDED/APPEDED
AGENDA**

***ITEMS AMENDED AND/OR APPEDED SINCE THE ORIGINAL PUBLICATION OF THIS
AGENDA ARE IDENTIFIED BY AN ASTERISK (*) HEREIN**

Tuesday, November 8, 2016

4:00 PM

District Headquarters Board Room

1. CALL TO ORDER:

1.1. Roll Call.

2. TIME CERTAIN:

4:00 PM

Notice to the Public: The Board of Directors meets in Closed Session in accordance with the Ralph M. Brown Act. Following the conclusion of Closed Session discussion, the Board will return for the remaining items on the regular meeting agenda.

2.1. CLOSED SESSION

[16-0840](#)

CONFERENCE WITH LEGAL COUNSEL
EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(a)

Great Oaks v. SCVWD

California Supreme Court, Case No.S231846

Great Oaks Water Co. v. SCVWD

Santa Clara County Superior Court Case No. 107CV087884

Great Oaks Water Co. v. SCVWD

Santa Clara County Superior Court Case No. 108CV119465

Great Oaks Water Co. v. SCVWD

Santa Clara County Superior Court Case No. 108CV123064

Great Oaks Water Co. v. SCVWD

Santa Clara County Superior Court Case No. 109CV146018

Great Oaks Water Co. v. SCVWD

Santa Clara County Superior Court Case No. 110CV178947

Great Oaks Water Co. v. SCVWD

Santa Clara County Superior Court Case No. 111CV205462

Great Oaks Water Co. v. SCVWD

Santa Clara County Superior Court Case No. 112CV228340

Great Oaks Water Co. v. SCVWD

Santa Clara County Superior Court Case No. 113CV249349

Great Oaks Water Co. v. SCVWD

Santa Clara County Superior Court Case No.115CV281385

Great Oaks Water Co. v. SCVWD

Santa Clara County Superior Court Case No. 116CV292097

2.2. CLOSED SESSION
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957(b)(1)
Title: Clerk of the Board, CEO and District Counsel

[16-0841](#)

6:00 PM

- 2.3. District Counsel's Report.
- 2.4. Pledge of Allegiance/National Anthem.
- 2.5. Orders of the Day.
A. *Approximate Discussion Time (Board); and*
B. *Adjustments to the Order of Agenda Items.*
- 2.6. Time Open for Public Comment on any Item not on the Agenda.
Notice to the public: This item is reserved for persons desiring to address the Board on any matter not on this agenda. Members of the public who wish to address the Board on any item not listed on the agenda should complete a Speaker Card and present it to the Clerk of the Board. The Board Chair will call individuals to the podium in turn. Speakers comments should be limited to three minutes or as set by the Chair. The law does not permit Board action on, or extended discussion of, any item not on the agenda except under special circumstances. If Board action is requested, the matter may be placed on a future agenda. All comments that require a response will be referred to staff for a reply in writing. The Board may take action on any item of business appearing on the posted agenda.

3. CONSENT CALENDAR: (3.1 - 3.6) (Est. Time: 5 Minutes)

Notice to the public: There is no separate discussion of individual consent calendar items. Recommended actions are voted on in one motion. If an item is approved on the consent vote, the specific action recommended by staff is adopted. Items listed in this section of the agenda are considered to be routine by the Board, or delegated to the Board Appointed Officers (BAOs) yet required by law or contract to be Board approved (EL-7.10). Any item may be removed for separate consideration at the request of a Board member. Whenever a resolution is on the consent calendar, a roll call vote will be taken on the entire calendar. Members of the public wishing to address the Board on any consent items should complete a Speaker Card and present it to the Clerk of the Board.

- 3.1. Resolution Authorizing Publication of Notice Calling for a Public Hearing to Consider Comments on the 2016 Groundwater Management Plan for the Santa Clara and Llagas Subbasins Prior to Its Adoption. [16-0767](#)

Recommendation: A. Adopt the Resolution AUTHORIZING PUBLICATION OF NOTICE CALLING FOR A PUBLIC HEARING TO CONSIDER COMMENTS ON THE 2016 GROUNDWATER MANAGEMENT PLAN PRIOR TO ITS ADOPTION; and
B. Set the time and place for the public hearing to occur on November 22, 2016, at 6:00 p.m. at the Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose, California, 95118.

Manager: Garth Hall, 408-630-2750

Attachments: [Attachment 1: Resolution](#)
[Attachment 2: Notice of Public Hearing](#)

- 3.2. Single-Source Agreements for Expert Panel to Review Water Supply Master Plan and California WaterFix Analyses. [16-0786](#)

Recommendation: Authorize to the Interim Chief Executive Officer to negotiate and enter into single-source agreements for a total not-to-exceed amount of \$150,000 for convening the Expert Panel to review Water Supply Master Plan and California WaterFix analyses.

Manager: Garth Hall, 408-630-2750

Attachments: [Attachment 1: Panel Members' Biographies](#)
[Attachment 2: Conflict of Interest Forms](#)

- 3.3. Resolution Recognizing Veterans Day on November 11, 2016. [16-0811](#)

Recommendation: Adopt the Resolution RECOGNIZING VETERANS DAY ON NOVEMBER 11, 2016.

Manager: Chris Elias, 408-630-2379

Attachments: [Attachment 1: Resolution](#)

- 3.4. Membership Nomination for Committee Appointment to the Environmental and Water Resources Committee. [16-0838](#)
Recommendation: Consider the membership appointment to the Environmental and Water Resources Committee (EWRC).

Manager: Michele King, 408-630-2711
Attachments: [Attachment 1: SCVWD Resolution No. 15-28](#)
[Attachment 2: EWRC Application - S. Michitaka](#)
- *3.5. CEO Bulletin for the Week of October 21-27 and October 28-November 3, 2016. [16-0868](#)
Recommendation: Accept the CEO Bulletin.

Manager: Norma Camacho, 408-630-2084
Attachments: [Attachment 1: 102716 CEO Bulletin](#)
[Attachment 2: 102816 CEO Bulletin](#)
- *3.6. Approval of Minutes. [16-0869](#)
Recommendation: Approve the minutes.

Manager: Michele King, 408-630-2711
Attachments: [Attachment 1: 092716 Regular Meeting.pdf](#)
[*Attachment 2: 100416 Special Meeting](#)
[*Attachment 3: 101116 Regular Meeting](#)
- REGULAR AGENDA:**
- 4. BOARD OF DIRECTORS:**
- *4.1. Disbandment of the Bay Delta Conservation Plan (BDCP) Ad Hoc Committee and Formation of the WaterFix Ad Hoc Committee. [16-0860](#)
Recommendation: A. Disband the Bay Delta Conservation Plan (BDCP) Ad Hoc Committee; and

B. Create the WaterFix Ad Hoc Committee, appoint members, and establish the purpose and terms in accordance with Board Governance Policy GP-8.

Manager: Michele King, 408-630-2711
Attachments: [Attachment 1: Governance Policy GP-8](#)
Est. Staff Time: 10 Minutes
- *4.2. Board Committee Reports. (Previously Item 4.1)

5. WATER UTILITY ENTERPRISE:

- 5.1. Cost Share Agreement with Contra Costa Water District for Funding Los Vaqueros Reservoir Expansion Project Planning. [16-0737](#)

Recommendation: A. Approve the cost share agreement with Contra Costa Water District (CCWD) for the District's contribution of \$100,000 towards CCWD's preparation of a Draft Supplemental Environmental Impact Statement/Environmental Impact Report and application for Proposition 1 funding of the Los Vaqueros Reservoir Expansion Project; and
B. Authorize the Interim CEO to execute the cost share agreement with CCWD.

Manager: Garth Hall, 408-630-2750

Attachments: [Attachment 1: Cost Share Agreement](#)
[Attachment 2: Project Map - New and Existing Facilities](#)
[Attachment 3: PowerPoint](#)

Est. Staff Time: 10 Minutes

- 5.2. Sole Source Purchase of Pump Rebuild Services from Unico Mechanical Corporation for Ebara Pumps at Pacheco Pumping Plant for up to \$1,565,355. [16-0791](#)

Recommendation: A. Approve the sole source purchase of Ebara International Corporation (Ebara) parts and services from Unico Mechanical Corporation (Unico) for two pump rebuilds at the Pacheco Pumping Plant in FY2016-2017 for up to \$1,565,355;
B. Approve a contingency sum of up to \$156,000 for unforeseen conditions;
C. Authorize the Interim Chief Executive Officer (CEO) or her designee/successor to execute an agreement with Unico for the pump rebuild services and;
D. Affirm that Unico is the sole source supplier of Ebara parts and services so long as Unico remains Ebara's exclusive parts' and services' provider in Northern California.

Manager: Angela Cheung, 408-630-2735

Attachments: [Attachment 1: Sole Source Letter from Ebara](#)
[Attachment 2: Unico Quote for Ebara Pump Rebuild](#)

Est. Staff Time: 5 Minutes

6. WATERSHEDS:

- 6.1. Amendment No. 5 to Standard Consultant Agreement No. A3366A [16-0248](#)
between the Santa Clara Valley Water District and RMC Water and Environment to Increase the Agreement by \$5,187,734, for Additional Design Services and Engineering Support Services During Construction, for a not-to-exceed total amount of \$15,900,128 for the Upper Llagas Creek Flood Protection Project, Project No. 26174052, (Morgan Hill) (District 1).

Recommendation: Approve Amendment No. 5 to the Consultant Agreement No. A3366A with RMC Water and Environment to provide additional design services and engineering support services during construction for the Project for a not-to-exceed fee of \$5,187,734. The new agreement not-to-exceed total amount will be \$15,900,128.

Manager: Katherine Oven, 408-630-3126

Attachments: [Attachment 1: Amendment No. 5 to Agreement A3366A](#)
[Attachment 2: Summary of Contract Amendments](#)

Est. Staff Time: 5 Minutes

- *6.2. Report of Bids Received and Award of Construction Contract to Kiewit [16-0875](#)
Infrastructure West Company - for Construction of Permanente Creek Flood Protection Project - McKelvey Park Detention Basin, Project No. 26244001, Contract No. C0616 (Mountain View) (District 5).

Recommendation: A. Ratify Addenda No. 1 through No. 5 to the Contract Documents for the Permanente Creek Flood Protection Project - McKelvey Park Detention Basin Project;

B. Waive minor irregularities in Kiewit Infrastructure West Company's bid;

C. Award the Construction Contract to Kiewit Infrastructure West Company in the sum of \$28,105,969; and

D. Approve a contingency sum of \$2,810,000 and authorize the Interim Chief Executive Officer or designee to approve individual change orders up to the designated amount.

Manager: Ngoc Nguyen, 408-630-2632

Attachments: [Attachment 1: Addenda Nos. 1 through 5](#)
[Attachment 2: Project Delivery Chart](#)

7. CHIEF EXECUTIVE OFFICER:

- 7.1. Discussion and Adoption of 2017 Legislative Policy Proposals and Priorities and Legislative Guiding Principles. [16-0542](#)

Recommendation: Approve recommended 2017 Legislative Policy Proposals and Priorities and 2017 Legislative Guiding Principles for the first year of a two-year legislative session in the State legislature, and the first year of a two-year session in the 115th Congress, and for 2017 local and regional legislative efforts.

Manager: Rick Callender, 408-630-2017

Attachments: [Attachment 1: 2017 Policy Proposals and Priorities](#)

Est. Staff Time: 5 Minutes

- 7.2. Preliminary Federal Appropriation Requests for Federal Fiscal Year 2018. [16-0759](#)

Recommendation: Adopt the recommended Federal Fiscal Year 2018 preliminary appropriation requests for District-sponsored and District-supported projects.

Manager: Rick Callender, 408-630-2017

Attachments: [Attachment 1: 2018 Preliminary Appropriation Requests](#)

Est. Staff Time: 5 Minutes

- 7.3. Positions Proposed to Improve Contracts Management, Accelerate Environmental Stewardship Capital Projects and Support for Operation and Promotion of the Silicon Valley Advanced Water Purification Center (Purification Center). [16-0834](#)

Recommendation: Receive information on eight new positions in District Fiscal Year (FY) 2017 that will improve contracts management, accelerate environmental stewardship capital projects, and support the operation and promotion of the Purification Center.

Manager: Chris Elias, 408-630-2379

Est. Staff Time: 5 Minutes

- 7.4 Chief Executive Officer Report.

8. ADMINISTRATION:

9. DISTRICT COUNSEL:

10. ADJOURN:

- 10.1. Board Member Reports/Announcements.

- 10.2. Clerk Review and Clarification of Board Requests.
- 10.3. Adjourn to Regular/Special Meeting at 4:00 p.m., on November 22, 2016, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.