



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

July 12, 2011

Board Policy EL-7 Communication and Support to the Board
The BAOs shall inform and support the Board in its work.

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	<u>INCOMING BOARD CORRESPONDENCE</u> - None
	<u>OUTGOING BOARD CORRESPONDENCE</u>
17	Email from Chair LeZotte to the Mr. Ferraro, dated 07.08.19, regarding SCVWD vs SBWR Audit Reports for FY ending June 2017 (C-19-0171)
21	Email from Chair LeZotte to Patricia Blevins, dated 07.12.19, regarding Water flow to Ross Creek and the loss of water fowl (C-19-0133)

Board correspondence has been removed from the online posting of the Non-Agenda to protect personal contact information. Lengthy reports/attachments may also be removed due to file size limitations. Copies of board correspondence and/or reports/attachments are available by submitting a public records request to publicrecords@valleywater.org

CEO BULLETIN/ NEWSLETTERS



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

Chief Executive Officer Bulletin Week of July 5 – July 11, 2019

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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Continuous Improvement - Improved Respiratory Protection

Valley Water has recently added Powered Air-Purifying Respirators (PAPR's) to the list of personal protective equipment available to Valley Water employees. The purpose for this addition is to enhance respiratory protection for Valley Water employees who perform maintenance activities with a higher potential for exposure to airborne contaminants (such as applying industrial coatings and welding activities). Below is a list of the benefits associated with using this type of respiratory protection:

- PAPR's offer a higher level of protection compared to tight fitting filtering face piece respirators
- A PAPR system uses a blower instead of lung power to draw air through the filter which allows the user to breathe comfortably with less resistance, as the airflow is delivered directly into the headgear from the blower
- The continuous flow of air from the blower motor helps keep the user cool during high temperatures or strenuous activities and helps eliminate the face-shield lens from fogging up while working
- Loose fitting headgear on PAPR's do not require annual fit-testing, unlike a reusable filtering face piece respirator which requires the user to undergo annual fit-testing
- Users are able to wear their normal prescription eyeglasses under the PAPR and do not require specialized attachments or kits that tight fitting filtering face pieces require

The PAPR can be a great resource for the end user, as it will allow them to choose from a wide range of headgear and other options providing a customized solution that works best for their specific needs.

For further information, please contact Tina Yoke at (408) 630-2385.

FY18 Annual Report of District Rental Property Income and Expenses

Valley Water acquires properties that are required for future Valley Water projects and programs. Prior to the commencement of these projects, Valley Water will seek to keep some of these properties occupied by leasing them at fair market rates, as per Board Resolution No. 09-78. The Resolution requires the CEO to provide a report each year on Valley Water's annual rental income and expenses of Valley Water properties. Below is the Fiscal Year 2018 (FY18) Annual Report of Valley Water Rental Property Income and Expenses.

In FY18, Valley Water managed a total of 114 properties: 61 non-residential and 53 residential properties. This represents 0 (zero) residential and non-residential property changes over FY17. The Total Net Income for FY18 increased by 4% (\$56,211) from the previous fiscal year from \$1.5 million to \$1.557 million.

Total Gross Income for FY18 increased by 6% (\$116,923) from \$1.928 million to \$2.045 million. The higher income resulted from rent increases on residential properties that turned over tenants and due to increased rental value after conducting an annual market review of rents. The total increase in income from residential properties was approximately 5% (\$80,150), from \$1,622,072 to \$1,702,222, and the income from non-residential properties increased by 11% (\$36,773) from \$306,026 to \$342,799.

For further information, please contact Tina Yoke at (408) 630-3021 or Melanie Richardson at (408) 630-2035.

Updates on Valley Water Recommendations for the Groundwater Benefit Zone Study

This past spring, Valley Water participated in a public engagement process and hosted a series of open houses for the public and well owners to learn more about the Groundwater Benefit Zone Study and the proposed benefit zones. Alongside the 2 (two) scheduled open houses for the North County and South County areas, an additional open house was hosted in South County in response to a mailing list database error. In addition, Valley Water met individually with interested stakeholders to explain the study results and its potential impacts. Valley Water received valuable input and site-specific information from well owners and amended the recommendations for the proposed zones.

Valley Water is currently conducting outreach to communicate these updates. The latest update mailer regarding the Groundwater Benefit Zones Study was sent last week to impacted stakeholders with more communications expected to continue this week and next. This is part of an ongoing commitment to being informative and transparent with Valley Water's public engagement process. Updated information on the recommended zones is also available at www.valleywater.org/gwbenefits. A Valley Water recommendation about the proposed benefit zones will be made to the Board of Directors toward the end of summer 2019 (tentatively scheduled for August 27).

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

Semitropic Groundwater Bank Update

Valley Water secured a commitment from Semitropic Groundwater Bank (Semitropic) to store 64,000 acre-feet of Valley Water's contract supplies in 2019. Since 1996, Valley Water has used

its contractual space in Semitropic to store some of its State Water Project and Central Valley Project contract water in wet and above normal years; this water is withdrawn in dry years to supplement contact with supplies that are typically diminished.

With 2019 allocations of State Water Project and Central Valley Project supplies to Valley Water being well above average, redirecting some of this water to Semitropic is an ideal strategy to optimize the long term usage of this water. An addition of 64,000 acre-feet this year will bring Valley Water's Semitropic storage amount up to full capacity at 350,000 acre-feet.

With an eye to the future benefits of the Semitropic program, Valley Water is monitoring to detect any possibility of operational changes that may be necessary under the Sustainable Groundwater Management Act. Valley Water will continue to monitor conditions and will provide updates to the Board as needed. Further, at its May 20, 2019, meeting, the Water Storage Exploratory Committee recommended that the Board receive an update on the Semitropic program. Valley Water is preparing to return to the Board with an agenda item on that subject in fall 2019.

For further information, please contact Garth Hall at (408) 630-2750.

2019-2020 State Budget - Funding of Interest to Valley Water

On Friday, June 27, 2019, Governor Gavin Newsom signed the 2019-2020 State Budget, adopting a spending plan of \$214.8 billion for the next fiscal year. As previously reported, the Governor continues to focus on addressing several high-profile issues including health care, housing, homelessness, education, and response to fire danger.

The State Budget includes \$1 billion in bonds from Proposition 68, The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act, approved by the voters in June 2018. Some significant Proposition 68 appropriations that are of interest to Valley Water include the following.

- \$168.5 million – State Water Resources Control Board – Water quality improvement and safe drinking water
- \$88 million – Department of Water Resources – Drought and groundwater investments
- \$74 million – State Water Resources Control Board - Water recycling grants and loans
- \$70 million – Natural Resources Agency – Voluntary Agreements
- \$35 million – Wildlife Conservation Board – Habitat and wildlife conservation
- \$25 million – Department of Water Resources – Floodplain Management, Protection and Risk Awareness Program
- \$22.1 million – Water Conservation Board – Natural Community Conservation Plans
- \$15 million – State Coastal Conservancy – Wetlands restoration in the Bay Area
- \$15 million – Wildlife Conservation Board – Wildlife corridor infrastructure projects
- \$7.6 million – Department of Water Resources - Urban Stream Restoration Program
- \$6 million - Department of Fish and Wildlife – Habitat restoration and protection

Also of interest is a \$130 million annual, continuous appropriation to the Safe Clean Water Fund to be created by SB 200 (Monning) and is intended to address the lack of safe and clean water in many communities throughout California. The funding was appropriated with \$100 million from the Green House Gas Reduction Fund (Cap and Trade proceeds) and \$30 million from the

General Fund. Valley Water supports SB 200, which is currently pending the Governor's signature.

Valley Water pursues state grant funding based on eligibility criteria, timing, and other factors to determine a project's suitability. Valley Water will work to determine when grants funded by the above appropriations will be available for application and consideration.

For further information, please contact Rachael Gibson at (408) 630-2884.



MEMORANDUM

FC 14 (01-02-07)

TO: Norma Camacho

FROM: Ngoc Nguyen

SUBJECT: Report of Properties Acquired Under
Executive Limitation 6.7.1

DATE: July 3, 2019

In accordance with the Executive Limitation (EL) 6.7.1 the attached spreadsheet includes:

1. A report of properties to be acquired under EL 6.7.1.
2. A report on the number of parcels that have been signed off by the CEO and acquired during the quarter of April 1 through June 30, 2019 including respective statutory offers of just compensation and final negotiated values (EL 6.7.1.3).

N. Nguyen 07/05/19

Ngoc Nguyen
Deputy Operating Officer
Watersheds Design and Construction

Cc: B. Magleby, E. Serrano

QUARTERLY REPORT OF PROPERTIES ACQUIRED UNDER CEO AUTHORITY
 April 1, 2019 - June 30, 2019

DISTRICT FILE	PROJECT NAME	AGENT	GRANTOR/GRAHTEE	INTEREST	REC DATE	DOC#	INITIAL OFFER	OWNER'S APPRAISED VALUE	FINAL SETTLEMENT	SEE EXPLANATION
3015-614	GUADALUPE RIVER	C. HERRERA	CITY OF SAN JOSE	FEE IN	6/18/2019	24206118	\$445,000	N/A	\$445,000	
3015-617										
3015-618										
5012-208	WEST LITTLE LIAGAS CREEK	B. MAGELBY	MORGAN HILL PLAZA	TCE IN	5/7/2019	24173570	\$20,900	N/A	\$20,900	
5027-224				EASEMENT IN						

REPORT OF PROPERTIES WHICH MAY BE ACQUIRED UNDER
EXECUTIVE LIMITATION 6.7.1

DISTRICT FILE	PROJECT NAME	ASSESSORS' PARCEL NUMBER (APN)	INTEREST
1016-92	HALE CREEK	189-26-060, 189-26-064	NO P&D
1028-179	SAN FRANCISQUITO CREEK	003-07-053	NO P&D
1029-175	STEVENS CREEK	161-02-005, 16102012 & 16102015	NO P&D
2010-225	CALABAZAS CREEK	104-28-069	FEE IN
2021-152	SARATOGA CREEK	386-21-042	NO P&D
2026-55	SUNNYVALE EAST OUTFALL	110-39-002	TCE IN
2027-16	SUNNYVALE WEST OUTFALL	110-07-022, 165-44-007, 165-44-008	TCE IN
2044-1	SOUTH BAY SALT PONDS	015-32-042, 015-32-043	NO P&D
2044-5	SOUTH BAY SALT PONDS	015-25-028, 015-25-026, 015-26-022, 015-30-043	FLOOD PROTECTION LEVEE LEASE AREA
2044-8	SOUTH BAY SALT PONDS	015-03-019, 015-41-006	NO P&D
2044-9	SOUTH BAY SALT PONDS	015-33-054	NO P&D
2044-15	SOUTH BAY SALT PONDS	015-25-023	NO P&D
2044-16	SOUTH BAY SALT PONDS	015-33-033	NO P&D
2044-17	SOUTH BAY SALT PONDS	APN # is being determined	NO P&D
2044-18	SOUTH BAY SALT PONDS	015-32-026, 015-32-027, 015-32-029, 015-32-030	EASEMENT IN
2044-19	SOUTH BAY SALT PONDS	APN # is being determined	NO P&D
2044-20	SOUTH BAY SALT PONDS	015-03-019	TCE IN
2044-21	SOUTH BAY SALT PONDS	APN # is being determined	NO P&D
2044-22	SOUTH BAY SALT PONDS	APN # is being determined	NO P&D
3015-600	GUADALUPE RIVER	264-48-000	EASEMENT IN
3015-601	GUADALUPE RIVER	264-48-006	EASEMENT IN
3015-602	GUADALUPE RIVER	264-48-126	EASEMENT IN
3015-603	GUADALUPE RIVER	264-48-094	EASEMENT IN
3015-604	GUADALUPE RIVER	264-48-010, 264-48-084, 264-48-103	EASEMENT IN
3015-605	GUADALUPE RIVER	264-48-000	EASEMENT IN
3015-606	GUADALUPE RIVER	264-48-000 (Willow Street)	EASEMENT IN
3015-824	GUADALUPE RIVER	434-28-003	EASEMENT IN
3015-635	GUADALUPE RIVER	434-29-020	EASEMENT IN

NOTE:
TCE = Temporary Construction Easement

REPORT OF PROPERTIES WHICH MAY BE ACQUIRED UNDER
EXECUTIVE LIMITATION 6.7.1

DISTRICT FILE	PROJECT NAME	ASSESSORS' PARCEL NUMBER (APN)	INTEREST
3016-636	GUADALUPE RIVER	434-29-019	EASEMENT IN
3015-641	GUADALUPE RIVER	434-29-000 (Pine Avenue)	EASEMENT IN
3015-645	GUADALUPE RIVER	439-25-032	EASEMENT IN
3016-646	GUADALUPE RIVER	439-25-031	EASEMENT IN
3015-647	GUADALUPE RIVER	43925030	EASEMENT IN
3015-648	GUADALUPE RIVER	439-25-029	EASEMENT IN
3015-649	GUADALUPE RIVER	439-25-028	EASEMENT IN
3015-650	GUADALUPE RIVER	439-25-027	EASEMENT IN
3015-651	GUADALUPE RIVER	439-25-026	EASEMENT IN
3015-653	GUADALUPE RIVER	439-25-024	EASEMENT IN
3015-654	GUADALUPE RIVER	439-25-023	EASEMENT IN
3015-655	GUADALUPE RIVER	439-25-022	EASEMENT IN
3015-657	GUADALUPE RIVER	439-25-020	EASEMENT IN
3015-658	GUADALUPE RIVER	439-25-019	EASEMENT IN
3015-659	GUADALUPE RIVER	439-25-018	EASEMENT IN
3015-660	GUADALUPE RIVER	439-25-017	EASEMENT IN
3015-661	GUADALUPE RIVER	439-25-016	EASEMENT IN
3015-662	GUADALUPE RIVER	439-25-015	EASEMENT IN
3015-663	GUADALUPE RIVER	439-25-014	EASEMENT IN
3015-664	GUADALUPE RIVER	439-25-013	EASEMENT IN
3015-665	GUADALUPE RIVER	439-25-012	EASEMENT IN
3015-666	GUADALUPE RIVER	439-25-011	EASEMENT IN
3015-674	GUADALUPE RIVER	264-48-104	EASEMENT IN
3015-675	GUADALUPE RIVER	264-48-108	EASEMENT IN
3015-677	GUADALUPE RIVER	439-25-001	FEE IN
3015-684	GUADALUPE RIVER	015-45-013	EASEMENT IN
3020-174	LOS GATOS CREEK	288-03-017	NO P&D
3020-175	LOS GATOS CREEK	ON ROAD	NO P&D

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REPORT OF PROPERTIES WHICH MAY BE ACQUIRED UNDER
EXECUTIVE LIMITATION 6.7.1

DISTRICT FILE	PROJECT NAME	ASSESSORS' PARCEL NUMBER (APN)	INTEREST
3020-176	LOS GATOS CREEK	259-38-137	FEE IN
4017-61	BERRYESSA CREEK	022-31-017	EASEMENT IN
4017-65	BERRYESSA CREEK	022-31-017	EASEMENT IN
4017-97	BERRYESSA CREEK	086-32-021, 863-2-028	EASEMENT IN
4018-26	CALERA CREEK	022-02-014	EASEMENT IN
4018-31	CALERA CREEK	026-18-003	EASEMENT IN
4018-32	CALERA CREEK	026-18-003	EASEMENT IN
4018-33	CALERA CREEK	ON ROAD (022-31-000)	EASEMENT IN
4021-277	COYOTE CREEK	237-05-057 & 237-05-058	NO P&D
4026-483	LOWER SILVER CREEK	670-29-002, 670-29-017	NO P&D
4032-67	UPPER PENITENCIA CREEK	LAND EXCHANGES FOR THE BART'S EXTENSION PROJECT	NO P&D
4032-68	UPPER PENITENCIA CREEK	254-17-099	EASEMENT IN
4032-69	UPPER PENITENCIA CREEK	254-14-119	EASEMENT IN
4032-71	UPPER PENITENCIA CREEK	254-67-020	EASEMENT IN
4032-72	UPPER PENITENCIA CREEK	254-17-081	NO P&D
4033-54	LOWER PENITENCIA CREEK	22-30-041	EASEMENT IN
4033-57	LOWER PENITENCIA CREEK	086-33-104	NO P&D
4033-58	LOWER PENITENCIA CREEK	022-37-002	EASEMENT IN
4049-11	PENITENCIA EAST CHANNEL	086-37-018	NO P&D
4049-12	PENITENCIA EAST CHANNEL	086-37-018	NO P&D
4049-13	PENITENCIA EAST CHANNEL	086-36-023	EASEMENT IN
5012-211	WEST LITTLE LLAGAS CREEK	HALE AVENUE	EASEMENT IN
5012-212	WEST LITTLE LLAGAS CREEK	ON RROAD	EASEMENT IN
6018-98	UVAS CARNADERO CREEK	841-31-010	TCE IN
6018-99	UVAS CARNADERO CREEK	841-32-015	TCE IN
9109-79	GILROY WATER RECLAMATION FACILITY	841-29-033, 841-30-004, 841-30-011	EASEMENT IN
9186-34	ANDERSON DAM/RESERVOIR	728-34-011	EASEMENT IN
9189-15	GUADALUPE DAM/RESERVIOR	575-11-004	FEE IN

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REPORT OF PROPERTIES WHICH MAY BE ACQUIRED UNDER
EXECUTIVE LIMITATION 5.7.1

DISTRICT FILE	PROJECT NAME	ASSESSORS' PARCEL NUMBER (APN)	INTEREST
9195-1	PACHECO DAM/RESERVIOR	898-11-009, 898-48-002	NO P&D
9195-2	PACHECO DAM/RESERVIOR	898-11-003, 898-11-008, 898-11-004, 898-11-016, 898-11-020, 898-11-021, 898-11-022, 898-11-023, 898-	FEE IN
9195-3	PACHECO DAM/RESERVIOR	865-10-010, 865-11-020, 865-11-021	FEE IN
9195-4	PACHECO DAM/RESERVIDR	865-15-008, 865-15-009	FEE IN
9195-5	PACHECO DAM/RESERVIOR	865-15-007	FEE IN
9195-6	PACHECO DAM/RESERVIOR	865-10-023	FEE IN
9195-7	PACHECO DAM/RESERVIOR	898-57-001, 898-57-002	FEE IN
9225-85	CENTRAL PIPELINE	254-17-069, 254-17-070	EASEMENT IN
9225-66	CENTRAL PIPELINE	254-17-074	EASEMENT IN
9225-67	CENTRAL PIPELINE	LAND EXCHANGES FOR THE BART'S EXTENSION PROJECT	NO P&D
9245-33	COYOTE CANAL	729-55 (Bailey Ave)	NO P&D
9265-5	BUDD AVENUE PERCOLATION PONDS	305-35-017	NO P&D
9433-4	MILPITAS PIPELINE	86-42-023	EASEMENT IN
9433-18	MILPITAS PIPELINE	92-08-083	EASEMENT IN
9433-19	MILPITAS PIPELINE	92-08-083	EASEMENT IN
9433-20	MILPITAS PIPELINE	92-08-002	EASEMENT IN
9433-21	MILPITAS PIPELINE	92-08-002	EASEMENT IN
9433-22	MILPITAS PIPELINE	92-08-096	EASEMENT IN
9484-33	SNELL PIPELINE	692-26-049	EASEMENT IN
9484-34	SNELL PIPELINE	692-26-000 (Old Snell)	EASEMENT IN

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TO: Board of Directors**FROM:** Anna Noriega**SUBJECT:** CalPERS Office of Audit Services review of
Valley Water's Employment of Retired
Annuitants**DATE:** July 10, 2019

This item pertains to information on a recently completed CalPERS Office of Audit Services on Valley Water's employment of retired annuitants. Government Code section 21221, 21224, 21229, and 7522.56 provide that in a fiscal year, retired members may work a total of 960 for all employers combined without reinstatement to employment.

In November 2018, CalPERS conducted an audit of our hiring practices pertaining to the employment of CalPERS retired annuitants. Valley Water was one of 60 other agencies CalPERS retired annuitants with service retirement into the CalPERS system and accurately tracked and reported their hours to ensure the retired annuitants did not work more than 960 hours in a fiscal year.

Valley Water's audit was limited to review of a sample of retired annuitant records for the period July 1, 2014, through June 30, 2017, CalPERS requested the records of 30 individuals that Valley Water hired as temporary works during this period.

The audit results found that Valley Water did not fully complete the process of enrolling and/or reporting the hours of three (3) retired annuitants. One (1) retired annuitant exceeded the 960-hour limit by 24 hours in the fiscal year 2014-2015. The audit also pointed to five (5) retired annuitants that worked for Valley Water for multiple fiscal years. Government Code Section 7522.56 indicates that agencies can hire a retired annuitant without reinstatement to perform work of "limited duration." Valley Water responded to this observation with a letter to CalPERS stating that in the absence of a defined cap on the number of permitted hours in successive fiscal years, Valley Water implemented a Policy that attempted to capture the intent by limited retired annuitants to a *lifetime* total of 1920 hours (equivalent to two fiscal years/960hours each)

Since this audit was conducted, staff has made the required adjustments to enroll and report the hours of the retired annuitants identified. The retired annuitant that exceeded the 960-hour limit will be required to repay Valley Water the 24 hours in order to rectify the violation.

The results of this audit have been used to improve and streamline our processes to ensure that retired annuitants are now enrolled and reported to CalPERS timely and accurately.

A copy of the full report is available for viewing in the Clerk of the Board's office.

For additional information, please contact me at 408-630-3089

BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS

Report Name: Board Member Requests

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
R-19-0008	06/25/19	Lezotte	Hawk	Hall	Chairperson LeZotte requested that staff answer Ms. Katja Irvin's public comment questions regarding the Shasta Dam and Reservoir Enlargement Project and copy the Valley Water Directors so they are informed.	07/31/19		