



CAPITAL IMPROVEMENT PROGRAM MEETING

MINUTES

**MONDAY, MARCH 20, 2023
11:30 AM**

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER:

A special meeting of the Santa Clara Valley Water District (Valley Water) Capital Improvement Program Committee (Committee) was called to order at 5700 Almaden Expressway in San Jose, California at 11:30 a.m. and via Zoom teleconference.

1.1 Roll Call.

Committee members in attendance were District 6 Director Tony Estremera, District 4 Director Jim Beall, and District 5 Director Nai Hsueh, constituting a quorum of the Committee.

Staff in attendance was Eva Sans, Assistant Deputy Clerk II.

Staff members in attendance were G. Adriano, E. Aryee, H. Ashktorab, A. Baker, E. Baker, L. Bankosh, H. Barrientos, A. Beaman, S. Berning, W. Blackard, R. Blank, S. Bogale, J. Bourgeois, T. Bridgen, R. Callender, J. Codianne, J. Collins, M. Cook, E. De Anda, A. Fraumeni, A. Fulcher, M. Ganjoo, C. Gayotin, A. Gschwind, M. Hagerty, C. Hakes, J. Ham, K. Holden, S. Klopfer, E. Llamas, M. Lugo, J. Martin, R. McCarter, P. McElroy, E. Meeks, J. Nam, C. Narayanan, T. Ndah, M. Nguyen, C. Orellana, L. Orta, L. Penilla, A. Phagan, M. Richardson, D. Rocha, J. Villareal, and G. Williams.

Guests in attendance: C. Arnett, S. Grillo, and K. Irvin,

2. TIME OPEN FOR PUBLIC COMMENTS ON ANY ITEM NOT ON THE AGENDA:

Chairperson Hsueh declared time open for public comment on any subject not on the agenda.

Katja Irvin, Sierra Club Loma Prieta Chapter Co-chair, requested an interim schedule of accomplishment goals or milestones ahead of the release of the draft EIR, EIS, or the 60% design of the Pacheco Reservoir Expansion Project. Chairperson Hsueh stated that the Pacheco Reservoir Expansion Project was a capital project included in regular project status monitoring report to this Committee.

3. APPROVAL OF MINUTES:

3.1 Approval of February 13, 2023 Capital Improvement Program Committee Minutes.

Recommendation: Approve the minutes.

It was moved by Director Estremera, seconded by Director Beall, to approve the February 13, 2023 minutes, as presented.

4. REGULAR ITEMS:

4.1 Review Capital Project Monitoring - Construction Report.

Recommendation: Receive and discuss information regarding the status of capital projects in the construction phase.

Various staff reviewed the information on this item, per the attached Committee agenda memo, and corresponding presentation materials contained in Attachment 1.

During the presentation, the Committee requested the following without taking formal action:

- On the *Anderson Dam Tunnel* project, staff would provide a project briefing to Director Beall including water level impacts to construction and surrounding neighborhood.
- On the *Restoration of Natural Creek Functions: Hale Creek Enhancement project*, Office of Communications staff would consider outreach on Valley Water's commitment to stream stewardship and our success to this type of project aside from flood protection and water supply.
- On the *Information Technology Disaster Recovery* project, the Committee was informed that an upcoming closed session would provide an extensive discussion of confidential details on Valley Water's server environment as well as restoration of data and backup plans.

4.2 Consider Staff's Recommendation to Include the Pond A4 Resilient Habitat Restoration Project, a new Initially Validated Water Resources Stewardship Project, in the Capital Improvement Program (CIP) Final FY2024-28 Five-Year Plan.

Recommendation: Consider Staff's Recommendation to Include the Pond A4 Resilient Habitat Restoration Project, a new Initially Validated Water Resources Stewardship Project, in the Capital Improvement Program (CIP) Final FY2024-28 Five-Year Plan.

Lisa Bankosh, Assistant Officer, reviewed the information on this item per the attached agenda memo; and added that this stream stewardship project was integrated but separated from the *Calabazas Creek/San Tomas Aquino Creek-Marsh Connection* project, and that due to unexpected developments in this project, the CIP validation process for the *Pond A4 Resilient Habitat Restoration* project was compressed.

Judy Nam, Senior Water Resources Specialist, reviewed the corresponding presentation materials contained in Attachment 1. During the presentation, the Committee was informed that the *Calabazas Creek/San Tomas Aquino Creek-Marsh Connection* project, a related project which included Pond A4 as part of project area, had received a variety of state and local funding; that there was a recent federal EPA grant award announcement for the Creek-Marsh Connection project with the support of City of Sunnyvale and others; that staff had intended to pursue various grant opportunities for the Pond A4 Resilient Habitat Restoration Project building on the success of the *Creek-Marsh Connection* project; that funding source for Phase 1 of the Pond A4 Resilient Habitat Restoration project would come from Funds 12, and Phase 2 of the project is currently unfunded but staff would pursue potential grants; that SCW D3 would continue to pay for sediment delivery related costs including testing; that sufficient material for ecotone construction at the A8 Ponds exists; therefore, Pond A4 was chosen as an alternative site for SMP sediments; and that the ecotone to be constructed under the Pond A4 Resilient Habitat Restoration project would complement Sunnyvale East/West Channels Flood Protection project and other related projects and provide resilient flood protection to the Sunnyvale shoreline and surround communities.

The Committee took a motion:

Motion: Approve the inclusion of *Pond A4 Resilient Habitat Restoration* Project in the Capital Improvement Program (CIP) Final FY2024-28 Five-Year Plan, and that information related to funding, and comprehensive benefits to surrounding communities from this project would be included on the memo to the full Board.

Motion to J. Beall
Approve:

Seconded: T. Estremera

4.3 Receive Information on Change Orders to Anderson Dam Tunnel Project Construction Contract.

Recommendation: Receive Information on Change Orders to Anderson Dam Tunnel Project Construction Contract.

Ryan McCarter, Acting Deputy Operating Officer, reviewed the information on this item per the attached Committee agenda and corresponding presentation materials contained in Attachment 1 and 2, and added that the project cost report seen on Attachment 2 was provided in response to Committee request.

During the presentation, the Committee received information on the overall project spending relative to percentage of the project completed. Director Beall requested a project briefing that would include information on cost savings and benefits to the project resulting from change orders.

The Committee noted the information without taking formal action.

4.4 Receive Information on Upcoming Consultant Agreement Amendments for Capital Projects.

Recommendation: Receive information on upcoming consultant agreement amendments for capital projects.

Various staff reviewed the information on this item per the attached Board Agenda Memo.

The Committee received information on the addition of Government Code § 84308 on the memo of Item 4.4; and requested that staff present information to the full Board on *Amendment No. 3 to Agreement A4296A with Vena Solutions for On-Call Enhancements and Support Services for the CIP Development and Biennial Budget Process* by way of a diagram, the relationship between VENA, VEMO, and ProjectMates. The Committee expressed a desire that at some future time, the contract compliance process could be streamlined for better work efficiency by giving staff authority to modify contract amendments that have reasonable amount of time extension.

4.5 Review 2023 Capital Improvement Program Committee Work Plan.

Recommendation: Review the 2023 Capital Improvement Program Committee Draft Work Plan and make adjustments, as necessary.

Chairperson reviewed the work plans items for the next meeting, announced that the Contract Compliance item would be moved from April 2023 to the August 2023 meeting, and requested that staff include the Planning Study of the Maintenance Building in the work plan even without an identified meeting date.

5. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.

Eva Sans mentioned the briefing requests for Dir. Beall on Items 4.1 and 4.3.

6. ADJOURN.

Chairperson Hsueh adjourned the meeting at 1:15 p.m. to the next meeting on April 10, 2023.

Eva Sans
Assistant Deputy Clerk II

Approved:
Date: