



# NON-AGENDA

April 12, 2019

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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Page **CEO BULLETIN & NEWSLETTERS**

3 **CEO Bulletin:** 04/05/19 – 04/11/19

**BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS**

7 **BMR/IBMR Weekly Reports:** 04/11/19

8 Memo from David Cahen, Risk Manager, to the Board, dated 04/05/19, regarding communication with individuals who have filed claims against the District.

**INCOMING BOARD CORRESPONDENCE**

14 **Board Correspondence Weekly Report:** 04/11/19

15 Letter from Michael Jackson, Bureau of Reclamation, dated 03/29/19, regarding the March update to the allocation of water made available for 2019 - Delta Division, San Felipe Unit - Central Valley Project (C-19-0103).

17 Letter from Thomas Slosson, Calleguas Municipal Water District, to the Board, dated 04/02/19, regarding the CWIF Board of Directors elections (C-19-0104).

19 Email from Joseph Rahn to the Board, dated 04/05/19, regarding the Purple Pipe Company (C-19-0105).

21 Email from Kevin Keating to the Board, dated 04/06/19, regarding erosion of Coleman Road from Guadalupe Creek (C-19-0106).

22 Email from Dan Soszynski to the District via Access Valley Water (cc: Keegan), dated 04/10/19, regarding a homeless encampment in his neighborhood (C-19-0107).

23 Email from Prashant Kondawar to the Board, dated 04/11/19, regarding their planning application (C-19-0108).

**OUTGOING BOARD CORRESPONDENCE**

26 Reply email from Director Estremera to Rick Robinson, dated 04/05/19, regarding a homeless encampment near his neighborhood along Coyote Creek (C-19-0089).

27 Reply email from Chair LeZotte to Connie Halbach, Robinson Oil Corp., dated 04/05/19, regarding dumping problems in front of a District access gate (C-19-0101).

28 Reply email from Chair LeZotte to Charles Hoehn, dated 04/05/19, regarding fence repairs to prevent homeless encampments along Canoas Creek (C-19-0102).

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](mailto:publicrecords@valleywater.org).

# **CEO BULLETIN/ NEWSLETTERS**

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

## Chief Executive Officer Bulletin Week of April 5 - 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.*

Item	IN THIS ISSUE
<a href="#"><u>1</u></a>	Improved Service to Valley Water Procurement Card Users
<a href="#"><u>2</u></a>	San Francisquito Creek Joint Powers Authority Ribbon Cutting Event
<a href="#"><u>3</u></a>	State Water Board Adopts Waters of the State Procedures

### Improved Service to Valley Water Procurement Card Users

In February 2019, Valley Water deployed an enhanced procurement card program called the “Works Program”, which provides real-time on-line Purchasing Card (P-Card) administration by Valley Water. Prior to implementing the Works Program, support for P-Card administration required the submittal of a request to the bank’s service center and coordination with bank representatives to resolve card related issues – process of email and phone calls. Now, with the new Works Program, Valley Water bypasses the lengthy bank support process to directly respond in real-time to Valley Water P-Card users, wherever they may be.

There was no impact to Valley Water P-card holders, as existing cards could continue to be used. With the new Works Program on-line portal, Valley Water can now quickly and easily provide a variety of card administration support, including:

- Establish policy and expense settings;
- Review card transaction activity and confirm card balance;
- Raise or lower card transaction and monthly limits;
- Request new cards and deactivate cards no longer needed;
- Run card activity reports to analyze spend.

Valley Water will realize further benefits with the Works Program following the implementation of the new Enterprise Resources Planning (ERP) System. The Works Program can be directly integrated with the new ERP solution, providing a fully electronic and internally-managed process for P-Card administration and expense reconciliation and payment. The Works Program will provide P-Card statements for payment, and the integrated ERP system can provide the functionality to process

statements and facilitate a fully electronic review and approval process, thus replacing the current manual P-Card reconciliation process.

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

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### **San Francisquito Creek Joint Powers Authority Ribbon Cutting Event**

On Saturday, April 13, 2019, at 8:40 am, Valley Water will celebrate flood protection work and the re-opening of trails at the San Francisquito Creek Joint Powers Authority Ribbon Cutting Event. The ribbon cutting will take place at the Palo Alto Baylands Athletic Center just prior to Earth Day and the Great Race for Saving Water.

The flood protection features of the Bay to Highway 101 Reach of the San Francisquito Creek Flood Protection Project are now complete. The project also provides improved access to re-opened trails.

Director Kremen will be providing remarks at the ribbon cutting alongside the City of Palo Alto Mayor Eric Filseth and San Mateo County Supervisor Dave Pine.

This event will highlight the debut of the newly formed Team Valley Water, a team comprised of Valley Water employee runners and walkers. Also featured will be Valley Water's updated branding. The refreshed Valley Water logo will be appearing throughout the event.

The Education and Conservation Teams will host tables at the event and the Water Truck will dispense water at the zero-waste event. Valley Water mascot, H2Cool, will also be in attendance.

The Great Race for Saving Water will take place on the reopened trails. The trails had been closed for two years due to construction, which necessitated rerouting the race course. This year's race will see the trails used once again.

For further information, please contact Melanie Richardson at (408) 630-2035 or Rick Callender at (408) 630-2017.

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### **State Water Board Adopts Waters of the State Procedures**

On April 2, 2019, the State Water Resources Control Board (State Water Board) adopted the State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (Procedures). The Procedures now go to the Office of Administrative Law (OAL) for review and approval, a process that will take approximately nine (9) months. The Procedures will go into effect nine (9) months following OAL approval. This 18-month period will give the State Water Board time to create an implementation guidance document for use by the Regional Boards, as required by the resolution accompanying the approval of the Procedures.

At the adoption hearing, almost all the stakeholders expressed some level of frustration with the final product, but ultimately urged the State Water Board to adopt the Procedures. Valley Water's outside counsel spoke on behalf of their three (3) public agency clients and expressed appreciation for the State Water Board staff and environmental advocates who worked to resolve several issues with the water and flood control agency coalition. The favorable changes include an exclusion from the procedures for operations and maintenance of existing public agency stormwater and flood control projects, and a clarification to the definition of "waters of the state" that excludes artificial wetlands built for maximizing groundwater recharge.

There are two (2) parts to the newly adopted Procedures. First, the Procedures provide a definition of “water of the state” which provides a description for project proponents to determine if the feature is considered a wetland, and a framework to determine if the feature is subject to regulation. Second, if a project is to discharge dredge or fill material to a water of the state, the Procedures provide rules for permit applications. The new Procedures will require Valley Water to secure permits from the San Francisco Bay or Central Coast Regional Boards for any activities that impact “wetlands” or discharge fill or dredge material to a water of the state. Such projects are likely to include flood protection, environmental restoration, and dam construction or restoration.

Next steps for Valley Water includes engagement with the State Water Board in the drafting of the guidance document and metrics for annual reporting by the Regional Boards.

The State Water Board's press release announcing the adoption of the Procedures can be found at the following link:

[https://www.waterboards.ca.gov/press\\_room/press\\_releases/2019/pr04022019\\_swrcb\\_dredge\\_fill.pdf](https://www.waterboards.ca.gov/press_room/press_releases/2019/pr04022019_swrcb_dredge_fill.pdf)

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

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# **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
I-19-0006	03/25/19	Kremen	Hawk	Hall	Please provide Director Kremen with the request for information in the attached email.	04/16/19		
R-19-0001	03/26/19	Hsueh	Hawk	Hakes	Notify former Uvas/Llagas Flood Protection Advisory Committee members of the 404 permit signing with the Army Corps of Engineers for the Upper Llagas Flood Protection Project.	04/16/19		
R-19-0003	03/26/19	Keegan	Callender	Gibson	Director Keegan requested that External Affairs (GRU) assist the Homeless Encampment Ad Hoc Committee with the logistics, topic, participants, etc. for the proposed Homeless Summit.	04/16/19		

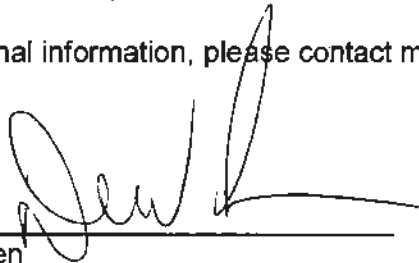
**TO:** Board of Directors**FROM:** David Cahen  
Risk Manager**SUBJECT:** Risk Management Communication**DATE:** April 5, 2019

The purpose of this memorandum is to provide you a copy of recent Risk Management staff's communication with individuals that have filed a claim against the District.

Please find the following attachments:

- 1) March 29, 2019 receipt of claim confirmation letter to Marilyn Manning (District 7)
- 2) April 3, 2019 letter to Ezzat Lokzadeh regarding recommendation to deny claim (District 5)
- 3) April 3, 2019 letter to Susan Landry regarding recommendation to deny claim (District 4)
- 4) April 5, 2019 duplicate claim letter to Marilyn Manning (District 7)

For additional information, please contact me at 408-630-2213.



David Cahen  
Risk Manager



March 29, 2019

Marilyn Manning  
945 Mountain View Ave.  
Mountain View, CA 94040

Regarding: Receipt of Claim – L1780039

Dear Ms. Manning,

This letter serves as confirmation that we have received your claim requesting plants and irrigation to mitigate the disruption of privacy in your backyard.

If you have any questions, please don't hesitate to contact Risk Manager, David Cahen at (408) 630-2213.

Sincerely,



Lilian Dennis  
Management Analyst II  
Risk Management  
[ldennis@valleywater.org](mailto:ldennis@valleywater.org)



April 3, 2019

Ezzat Lokzadeh  
20440 Arbeleche Lane  
Saratoga, CA 95070

Re: Claim# L1890020

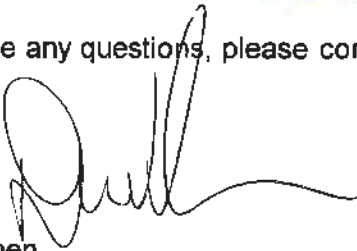
Dear Ms. Lokzadeh,

We have reviewed your claim and reached the conclusion that the Santa Clara Valley Water District is not responsible for the damage to your backyard fence and shed.

We are unable to substantiate this claim for damages and will therefore be recommending to our Board of Directors that the claim be denied. This item is scheduled to be heard at the April 23, 2019 Board meeting which begins at 6:00 pm. In the event of a date change, I will provide you with advance notice. You can also monitor the Board of Directors meeting schedule and associated agenda items at: <https://scvwd.legistar.com/Calendar.aspx>

If you have any questions, please contact me at (408) 630-2213.

Sincerely,



David Cahen  
Risk Manager

cc: Board of Directors (7), S. Yamamoto



April 3, 2019

Susan Landry  
349 Curtner Ave.  
Campbell, CA 95008

Re: Claim# L1890013

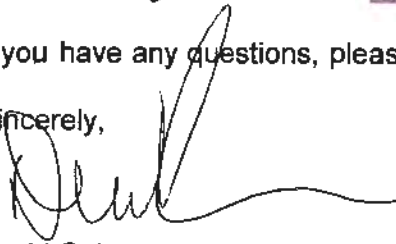
Dear Ms. Landry,

We have reviewed your claim and reached the conclusion that the Santa Clara Valley Water District is not responsible for the alleged loss of income.

We are unable to substantiate this claim for damages and will therefore be recommending to our Board of Directors that the claim be denied. This item is scheduled to be heard at the April 23, 2019 Board meeting which begins at 6:00 pm. In the event of a date change, I will provide you with advance notice. You can also monitor the Board of Directors meeting schedule and associated agenda items at: <https://scvwd.legistar.com/Calendar.aspx>

If you have any questions, please contact me at (408) 630-2213.

Sincerely,



David Cahen  
Risk Manager

cc: Board of Directors (7), S. Yamamoto



April 5, 2019

Marilyn Manning  
945 Mountain View Ave.  
Mountain View, CA 94040

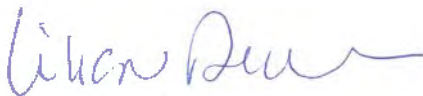
Regarding: Duplicate Claim – L1780039

Dear Ms. Manning,

As a follow-up to our letter dated March 29, 2019, regarding the receipt of your claim pertaining to plants and irrigation, please note that Claim L1780039 has been consolidated with Claim L1780009 which is the claim signed by Richard Lonergan on September 27, 2017. We will consider Claim L1780039 as a duplicate claim.

If you have any questions, please don't hesitate to contact Risk Manager, David Cahen at (408) 630-2213.

Sincerely,



Lilian Dennis  
Management Analyst II  
Risk Management  
[ldennis@valleywater.org](mailto:ldennis@valleywater.org)

