

**CAPITAL IMPROVEMENT PROGRAM COMMITTEE MEETING**

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# MINUTES

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**MONDAY, MARCH 15, 2021  
11:00 AM**

(Paragraph numbers coincide with agenda item numbers)

**1. CALL TO ORDER:**

A regular meeting of the Santa Clara Valley Water District (Valley Water) Capital Improvement Program Committee (Committee) was called to order via Zoom video teleconference at 11:00 a.m.

**1.1 Roll Call.**

Committee members in attendance were District 4 Director Linda LeZotte, District 6 Director Tony Estremera, and District 5 Director Nai Hsueh, Chairperson presiding, constituting a quorum of the Committee.

Staff members in attendance were J. Aranda, S. Berning, R. Blank, J. Bourgeois, T. Bridgen, P. Carter, J. Collins, M. Cook, N. Dominguez, S. Ferranti, A. Fraumeni, M. Ganjoo, C. Hakes, R. Heacock, J. Martin, H. McMahon, J. Middleton, D. Montenegro, C. Narayanan, L. Orta, S. Peters, B. Ponce, M. Potter, M. Richardson, L. Rossiter, D. Taylor, K. Wong and T. Yoke

**2. TIME OPEN FOR PUBLIC COMMENT ON ANY ITEM NOT ON THE AGENDA**

Chairperson Hsueh declared time open for public comment on any item not on the agenda. There was no one present who wished to speak.

**3. APPROVAL OF MINUTES**

**3.1. Approval of February 8, 2021 Meeting Minutes.**

Recommendation: Approve the minutes.

The Committee considered the attached minutes of the February 8, 2021 Capital Improvement Program Committee meeting. It was moved by Director Estremera, seconded by Director LeZotte, and unanimously carried that the minutes be approved as presented.

#### 4. ACTION ITEMS

##### 4.1. Capital Project Monitoring - Construction.

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

Deputy Operating Officers Mr. Heath McMahon and Ms. Rechelle Blank, and Mr. Mike Cook, Deputy Administrative Officer, reviewed the information on this item, per the attached Committee Agenda Memo, and the corresponding presentation materials contained in Attachment 1 as follows: Mr. McMahon reviewed items 1 through 6, Ms. Blank reviewed Items 7 through 14, and Mr. Cook reviewed Items 15 through 18.

During the presentation, the Committee made the following requests of staff:

- Include location description of project reach and clarify whether projects are a flood protection project, or a project associated with Safe, Clean Water and include the priority number;
- Regarding Item 9, Upper Llagas Creek Flood Protection Project, Phase I and Phase 2A: Should any issues arise with regard to funding or permitting that would impact Phase 2B that the Committee be provided an opportunity to review issues prior to advertising for bids; and
- Regarding East Side flood protection projects: The Committee requested staff prepare a summary of project costs, federal and state funding leveraged into Santa Clara County, subventions received, and the number of parcels that have been protected by the project to share Valley Water's accomplishments with public.

##### 4.2. Receive update on the Rinconada Water Treatment Plant Residuals Remediation Project, Project No. 93294058.

Recommendation: Receive update on the Rinconada Water Treatment Plant Residuals Remediation Project, Project No. 93294058.

Mr. McMahon reviewed the information on this item, per the attached Committee Agenda Memo, and corresponding presentation materials contained in Attachment 1 were reviewed by Mr. Brandon Ponce, Capital Engineering Manager.

The Committee requested staff provide an update on the Rinconada Water Treatment Plant Residuals Remediation Project to the Board of Directors before the request to advertise for bids is presented for Board consideration.

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

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

Ms. Blank reviewed the information on this item, per the attached Committee Agenda Memo.

The Committee noted the information without formal action.

4.4. Status Update on the Contract Compliance Process and the Implementation from the recommendations from the 2015 Consultant Contracts Management Process Audit Conducted by Navigant Consulting, Inc. (Navigant), the Fiscal Year 2017-2018 (FY18) status update Consultant Contracts Improvement Process and subsequent update for the Fiscal Year 2020-2021 (FY21) Consultant Contracts Improvement Process.

Recommendation: Receive a status update on the Contract Compliance Process and implementation of the recommendations made by Navigant in the 2015 Consultant Contracts Management Process Audit and the FY18 Consultant Contracts Improvement Process.

Ms. Tina Yoke, Chief Administrative Officer, reviewed the information on this item, per the attached Committee Agenda Memo, and the corresponding presentation materials contained in Attachment 2, were reviewed as follows: Mr. Kenneth Wong, Deputy of General Services, reviewed Slides 1 through 12, and Ms. Yoke reviewed Slides 13 through 21.

The Committee asked for, and received, an explanation of the contract administration process, consultant performance and accountability monitoring process, and potential remedies to resolve compliance issues.

Mr. Bill Sherman, San Jose resident, expressed appreciation for staff's efforts to identify the causes associated with non-compliance and remedies, and suggested Valley Water consider establishing specific criteria to select a limited number of qualified contractors for specific projects.

Director LeZotte asked for, and received, an update on activities and progress to date regarding improvements to the contracting process.

4.5. Receive Update on Additional Recommended Board Engagement Points Related to the Operations and Maintenance Cost and Impact Assessment Within the Capital Project Delivery Process.

Recommendation: Review and provide feedback regarding adding the following operations and maintenance (O&M) engagement points to the Capital Project Delivery Process for all capital projects:

- A. Include an O&M cost and impact assessment section when the Engineer's Report or California Environmental Quality Act (CEQA) compliance document is presented to the Board for approval; and
- B. If significant changes occur after the Engineer's Report or CEQA compliance document is approved by the Board, present an updated O&M cost and impact assessment to the Capital Improvement Program (CIP) Committee.

Ms. Jessica Collins, Watersheds Business Planning & Analysis Manager, reviewed the information on this item, per the attached Committee Agenda Memo, and Ms. Lydia Rossiter, Program Administrator, reviewed the corresponding presentation materials contained in Attachment 1.

The Committee noted the information without formal action.

4.6. Review 2021 Capital Improvement Committee Work Plan.

Recommendation: Review the 2021 Capital Improvement Program Committee Work Plan and make adjustments as necessary.

Chairperson Hsueh reviewed the information on this item, per the attached Committee Agenda Memo, and corresponding presentation materials contained in Attachment 1.

The Committee made the following adjustment to the Committee Work Plan:

- Include a 15-year funding scenario for the Safe, Clean Water Program.

**5. INFORMATION ITEMS.**

None.

**6. CLERK'S REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS AND RECOMMENDATIONS:**

Ms. Natalie Dominguez, Assistant Deputy Clerk II, confirmed there were no new recommendations for Board consideration and reviewed the following Committee requests:

Regarding Item 4.1:

- Include location description of project reach and clarify whether projects are a flood protection project, or a project associated with Safe, Clean Water and include the priority number;
- Regarding Item 9, Upper Llagas Creek Flood Protection Project, Phase I and Phase 2A: Should any issues arise with regard to funding or permitting that

would impact Phase 2B that the Committee be provided an opportunity to review issues prior to advertising for bids; and

- Regarding East Side flood protection projects: The Committee requested staff prepare a summary of project costs, federal and state funding leveraged into Santa Clara County, subventions received, and the number of parcels that have been protected by the project to share Valley Water's accomplishments with public.

Regarding Item 4.2:

The Committee requested staff provide an update on the Rinconada Water Treatment Plant Residuals Remediation Project to the Board of Directors before the request to advertise for bids is presented for Board consideration.

## **7. ADJOURN**

- 7.1. Adjourn to Regular Meeting at 11:00 a.m., on April 19, 2021, to be called to order in compliance with the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20.

Chairperson Hsueh adjourned the meeting at 12:55 p.m., to the next regular schedule meeting on April 19, 2021, to be called to order in compliance with the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20.

[original signed by]  
Natalie F. Dominguez, CMC  
Assistant Deputy Clerk II

Approved: 4/26/21