



# NON-AGENDA

July 1, 2016

**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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	<b><u>A. NEWSLETTERS &amp; BRIEFINGS</u></b>
3	ACWA e-news: 06/29/16
	<b><u>B. CEO BULLETIN</u></b>
12	Week of: 06/24/16 – 06/30/16
	<b><u>C. BOARD MEMBER REQUESTS &amp; INFORMATIONAL ITEMS</u></b>
16	BMR/IBMR Weekly Reports: 06/30/16
--	None.
	<b><u>D. INCOMING BOARD CORRESPONDENCE</u></b>
19	Board Correspondence Weekly Report: 06/30/16
20	Email from Bob Wright, Friends of the River, to the Board, dated 06/27/16, regarding alternatives to the WaterFix/Delta Tunnels project (C-16-0216).
26	Email from Maria Trejo to various individuals (cc: BOD), dated 06/27/16, regarding fires caused by homeless (C-16-0217).
36	Email from anonymous sender to the Board, dated 06/28/16, regarding a petition titled Stop the Fluoridation of Los Gatos Drinking Water (C-16-0218).
37	Email from Glenn Wilcox to the Board, dated 06/28/16, regarding his opposition to the CA WaterFix (C-16-0219).
38	Email from Dave Poeschel, Sierra Club Loma Prieta Chapter Water Committee, to the Board dated 06/28/16, thanking the Board for approving all of the Wildlife Habitat Restoration Grants (C-16-0220).
39	Email from Arlene Goetze to the Board, dated 06/29/16, with questions regarding water fluoridation (C-16-0221).
	<b><u>E. OUTGOING BOARD CORRESPONDENCE</u></b>
42	Letters from Chair Keegan to various officials, dated 06/20/16, thanking them for serving on the Youth Stewardship Commission Leadership Panel.

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).

# **NEWSLETTERS & BRIEFINGS**



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## ACWA eNews for June 29, 2016

in [ACWA eNews](#)

ACWA's eNews is a weekly roundup of California water news and events. Manage your subscription [here](#).

### **Blog Post: Threading the Needle on Conservation Messaging**

Submitted by Pamela Martineau on Wed, 06/29/2016 - 5:26pm



ACWA Executive Director Timothy Quinn penned a blog today that examines the challenges surrounding conservation messaging under the state's new emergency conservation regulation.

In a blog titled, "Threading the Needle on Conservation Messaging this Year," Quinn writes:

"Our members have an important story to tell and now is the time to tell it. We have a window of opportunity now to put our best foot forward and set the bar high for ongoing efficiency and water-wise practices."

[Read more](#)

### **SB 1298 Clears Assembly Local Government Committee**

Submitted by Lisa Lien-Mager on Wed, 06/29/2016 - 6:08pm



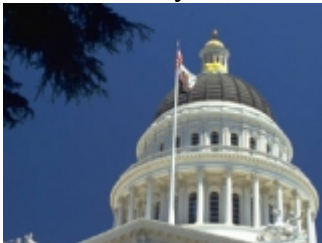
Scaled-down legislation aimed at addressing Proposition 218 concerns was approved in the Assembly Local Government Committee Wednesday on a 5-3 vote.

SB 1298 (Hertzberg) was approved with amendments that reduce the scope of the bill to address stormwater issues only. Other provisions related to lifeline rates and conservation rates were eliminated with the most recent amendments.

[Read more](#)

## **Water Market Bills Advance in State Senate**

Submitted by Lisa Lien-Mager on Wed, 06/29/2016 - 1:10pm



Two bills related to California's voluntary water market cleared the Senate Natural Resources and Water Committee on Tuesday and are now headed to the Senate Appropriations Committee.

[Read more](#)

## **California Water Projects to Receive WaterSMART Grants for 2016**

Submitted by Emily Allshouse on Wed, 06/29/2016 - 12:30pm



The U.S. Bureau of Reclamation has awarded more than \$25.6 million in WaterSMART Water and Energy Efficiency Grants to support projects that increase water and energy

conservation and efficiency, protect endangered species or address climate-related impacts on water.

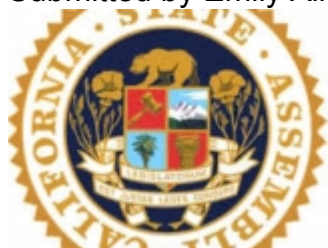
A total of 53 projects in 11 states will receive the FY 2016 grants. Those states include California, Colorado, Idaho, Montana, Nevada, Oklahoma, Oregon, Texas, Utah, Washington and Wyoming.

California grantees include the following ACWA members:

[Read more](#)

## **Assembly Water, Parks and Wildlife Committee Hears SB 552 and SB 1263**

Submitted by Emily Allshouse on Wed, 06/29/2016 - 10:01am



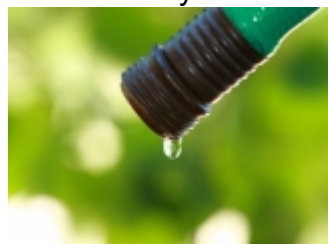
The Assembly Water, Parks and Wildlife Committee heard two bills of importance to ACWA members Tuesday – SB 552 (Wolk), related to water system consolidations, and SB 1263 (Wieckowski), related to water system permitting. Another bill, SB 1317 (Wolk), related to groundwater permitting, was withdrawn from the committee by the author, Sen. Lois Wolk (D-Davis).

### **SB 552 (Wolk)**

[Read more](#)

## **ACWA Holds Webinar on Emergency Conservation Regulation**

Submitted by Pamela Martineau on Tue, 06/28/2016 - 4:25pm



ACWA staff facilitated a live webinar Tuesday that provided members details on the state's new emergency conservation regulation and highlighted public outreach on ongoing water use efficiency.

A PowerPoint presentation from the webinar, a members-only toolkit offering public outreach materials, and a recording of the webinar is available [here](#).

[Read more](#)

## **Sacramento Judge Rules Delta Plan Invalid**

Submitted by Pamela Martineau on Mon, 06/27/2016 - 11:29am



A Sacramento Superior Court Judge on June 24 ruled that the Delta Stewardship Council's Delta Plan is invalid and will remain so until it includes "quantified or otherwise measurable targets associated with achieving reduced Delta reliance."

[Read more](#)

## **Senate Energy Committee Holds Hearing on Wildfire Bill**

Submitted by Josh Abel on Thu, 06/23/2016 - 2:20pm



The Senate Energy and Natural Resources Committee today held a hearing on proposed wildfire legislation titled the "Wildfire Budgeting, Response and Forest Management Act of 2016." ACWA has been encouraging the Senate to pass legislation to address U.S. Forest Service budget issues as well as to increase the pace and scale of forest restoration in the national forests.

[Read more](#)

## **Potential Public Goods Charge Language Removed From ACWA-Opposed SB 20**

Submitted by Emily Allshouse on Thu, 06/23/2016 - 11:46am



SB 20, authored by Sen. Fran Pavley (D-Agoura Hills), was gutted and amended a second time on Monday to remove language establishing a new California Water Resiliency Investment Fund. Last summer, ACWA's State Legislative Committee voted to oppose the bill after late session amendments in August 2015 appeared to be setting the stage for a potential public goods charge on water or statewide water tax.

[Read more](#)

## **California Financing Coordinating Committee Funding Fair**

Tue, 07/26/2016

**Location:** Shasta Public Libraries Redding Library, Community Room 1100 Parkview Ave. Redding, CA 96001

CFCC agencies fund primarily the following types of infrastructure projects:

- Drinking water
- Water conservation
- Wastewater Water use efficiency
- Water quality Energy efficiency
- Water supply Flood management

Some of the participating agencies also fund other types of infrastructure projects including streets and highways, emergency response vehicles, solid waste, and community facilities.

[Information](#)

## **ACWA Region 8 Program - August 4, 2016**

Thu, 08/04/2016

**Location:** 700 North Alameda Street, Los Angeles, CA 90012

**REGISTRATION OPEN!**

**ACWA Region 8 Presents:**

*Not if, but When: Preparing for the Next Disaster*

**Thursday, August 4, 2016**

9:30 a.m. to 2:00 p.m.

Metropolitan Water District of Southern California

Committee Room

700 North Alameda Street, Los Angeles, CA 90012

[Register HERE](#)

[Read more](#)

## **ACWA Region 1 Program & Tour**

Fri, 08/05/2016

**Location:** Army Corp of Engineers Facility at Lake Mendocino, 1160 Lake Mendocino Drive, Ukiah, CA 95482

**REGISTRATION OPEN!**

**ACWA Region 1 Program & Tour**

**Russian River Water Supply System Tour**

**Friday, August 5, 2016**

8:30 a.m. – 4:00 p.m.

Tour Start and End Point:

Army Corp of Engineers Facility at Lake Mendocino

1160 Lake Mendocino Dr., Ukiah, CA 95482

[Register HERE](#)

[Read more](#)

## **California Financing Coordinating Committee Funding Fair**

Tue, 08/23/2016



**Location:** Los Angeles County Department of Public Works 900 South Fremont Avenue  
Alhambra, CA 91803

CFCC agencies fund primarily the following types of infrastructure projects:

- Drinking water
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- Wastewater Water use efficiency
- Water quality Energy efficiency
- Water supply Flood management

Some of the participating agencies also fund other types of infrastructure projects including streets and highways, emergency response vehicles, solid waste, and community facilities.

Information

## **California Financing Coordinating Committee Funding Fair**

Wed, 09/14/2016

**Location:** UC Merced Small Business Development Center 550 E. Shaw Avenue Fresno, CA 93710

CFCC agencies fund primarily the following types of infrastructure projects:

- Drinking water
- Water conservation
- Wastewater Water use efficiency
- Water quality Energy efficiency
- Water supply Flood management

Some of the participating agencies also fund other types of infrastructure projects including streets and highways, emergency response vehicles, solid waste, and community facilities.

Information

## **ACWA 2016 Continuing Legal Education for Water Professionals**

Thu, 09/15/2016 - Fri, 09/16/2016

**Location:** San Diego, CA

ACWA's 2016 Continuing Legal Education will take place September 15-16, 2016 at the Bahia Resort Hotel in San Diego.

***Online Registration & cancellation deadline is September 1, 2016 - 4:30 p.m. (PST)***

**IMPORTANT LINKS:**

**ONLINE REGISTRATION**

[Read more](#)

**ACWA Region 5 Hosted Agricultural Program & Tour**

Sun, 09/18/2016 - Mon, 09/19/2016

**Location:** 7995 Bruns Road, Byron, CA 94515

**REGISTRATION OPEN!**

**ACWA Region 5 Hosted  
Agricultural Program & Tour**

**September 18 & 19, 2016**

Start & End Location:

**Byron Bethany Irrigation District**

7995 Bruns Rd., Byron, CA 94515

[Register HERE](#)

[Read more](#)

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**Source URL:** <http://www.acwa.com/newsletter/acwa-enews/acwa-enews-june-29-2016>

# **CEO BULLETIN**



**TO: BOARD OF DIRECTORS**  
**FROM: NORMA J. CAMACHO**

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## **CEO BULLETIN**

**Week of June 24 – 30, 2016**

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Staff to Investigate Anti-Nepotism Policies At Other Public Agencies In Regards to Disclosure or Transparency of Board member and Elected Official's Relations to Staff R-16-0016**

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### **Board Policy EL-7: Communication and Support to the Board**

*The BAOs inform and support the Board in its work.*

*Further, a BAO shall:*

*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.*

*Report in a timely manner an actual or anticipated noncompliance with any policy of the Board.*

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## INSIDE THIS ISSUE

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### **Report of Executive Limitation Noncompliance: Kooser Road Pipeline Leak Repair**

This serves as notification to the board of non-compliance with two board governance Executive Limitation (EL) policies.

The water district is in non-compliance with EL-5.1.1, violating procurement standards, by exceeding the construction contract limit without prior board authorization. EL-5.1.1, states that a Board Appointed Officer shall not make a single purchase, contract, 3rd party claim settlement of liability, or any other financial commitment in amounts greater than \$25,000, unless authorized by the board for construction contracts.

The water district is also in non-compliance with EL-7.6 by not reporting an actual or anticipated noncompliance with any policy in a “timely” manner. Typically, this would be at the next board meeting.

#### Background

On January 27, 2016, the water district received notification of a water leak on Kooser Road approximately 300 feet east of Camden Avenue. The water district responded, assessed the situation and shutdown the Kooser Road pipeline which is a 12" diameter asbestos concrete pipe, which supplies water from the Almaden Valley Pipeline to the Kooser percolation ponds.

The water district hired the services of S.G. Banks, a general contractor, who performs utility maintenance and repair work under an existing Standing Order to excavate and determine the location and extent of the damaged pipe. The Standing Order work was not competitively bid and had a \$25,000 limitation per work request.

The water district originally proceeded under the assumption that the construction activities would be minor and moved forward to repair the leak and start up operation of the Kooser recharge facility in accordance with an encroachment permit that the water district obtained from the City of San Jose.

Due to drought conditions, this recharge facility had not been operated for an extended period of time. The damage to the facility was not evident until this pipeline was operated when ground water recharge operations were resumed. Exploratory excavation revealed that Pacific Gas & Electric (PG&E) had placed a utility power pole through the pipeline, during the drought, two years prior to the water district detecting the leak.

The extent of the excavation required to locate and assess the degree of damage to the pipeline was significantly larger than expected and the complication of the PG&E utility pole resulted in a more costly repair as the a relocation was needed for a new section of pipe around the utility power pole in accordance with standard utility clearances.

The water district also located the entire pipeline with the Global Positioning System, performed a detailed video inspection, and assessed the condition of the entire pipeline which had not been evaluated since its construction due to the lack of direct access to the pipeline. The repair and site restoration were performed in an expeditious manner in accordance with City of San Jose encroachment permit requirements.

When it became clear that the cost was more significant than expected, the water district put the S.G. Banks work on hold while another contractor was sought who could quickly complete the work.

The water district was unable to find a contractor that could perform the work for less cost than S.G. Banks had proposed. The water district directly procured the requisite construction materials in an effort to minimize cost in coordination with S.G. Banks. The total invoice to S.G. Banks was \$102,532.73. Of this amount, \$66,449.25 was for subcontractor services managed by S.G. Banks. The total cost of the repair was approximately \$150,000, including an additional \$30,000 in specialty inspection and material costs and approximately \$17,000 in water district labor.

The water district decided to move forward to complete the repair and report out on the violation of EL-5.1.1, following the completion of the repair. Operation of the Kooser ground water recharge system has now been restored and the location of the repaired pipeline facility has been updated in drawings and the repair documents filed for future reference.

The water district is compiling incident and repair work documentation and costs for submission to PG&E for potential reimbursement of the costs associated with this event. The water district is also working to improve its ability to respond and repair pipeline leaks.

For further information, please contact Jim Crowley at (408) 630-2877.

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## **BOARD MEMBER REQUESTS**

### **Hsueh**

**Staff to Investigate the Benefits of Continued Participation in the Association of California Water Agencies Joint Powers Insurance Authority  
R-16-0003**

A response to this request was included in the board's June 24, 2016, Non-Agenda package.

For further information, please contact Jesús Nava at (408) 630-2764.

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### **Estremera**

**Staff to Investigate Anti-Nepotism Policies At Other Public Agencies In Regards to Disclosure or Transparency of Board member and Elected Official's Relations to Staff  
R-16-0016**

Results of this request will be provided to the board during the next scheduled board review of the board's Governance Policies. The date of this review is to be determined by the board.

At this review, board members can discuss and provide direction for the need for potential policies pertaining to the disclosure or transparency of board of directors and/or other elected officials' relationships to district staff.

For further information, please contact Jesús Nava at (408) 630-2764.

# **BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS**

Request	Completed Date	Meeting Date	Director	GM / AGM	Description	20 Days Due Date	Expected Completion Date	Disposition
R-16-0016	Pending	03/29/16	Estremera Keegan	Nava	Staff is requested to investigate anti-nepotism policies at other public agencies, in regards to disclosure or transparency of Board member/elected official's relations with staff.	04/19/16		
R-15-0040	Pending	10/27/15	Hsueh	Camacho	Communications and Government Relations to strategize and share information and message presented by CEO and staff in Item 2.3 - Staff Report in Response to Board Request Related to Recent Media Coverage.	11/19/15		
R-16-0018	Pending	03/29/16	Keegan	King	Staff to revise Board External Committee appointment list so that annual review includes participation/purpose/duties/role information.	04/19/16	01/10/17	04/13/16 CEO Bulletin.
R-16-0021	Pending	04/12/16	Keegan	Nava	Staff to take a preliminary look at the use of PLAs on Non-federal District projects.	05/03/16		
R-16-0020	Pending	03/15/16	Santos	Fiedler	Staff is to come back with an update on his previous request for information on a water truck.	04/27/16		



Request	Completed Date	Request Date	Director	GM / AGM	Description	20 Days Due Date	Expected Completion Date	Disposition
I-15-0054	Pending	12/10/15	Kremen	Fiedler	Chair Kremen requests staff to provide 1) apples-to-apples acre-feet (separate rates for North and South) comparisons of: -Proposed recycling-DPR; -Proposed recycling-IPR; -WaterFix; -long term SWP purchases-what do we pay now?; - semitropic costs; -lawn replacement; -grey water; -cost to idle land in the south; -Please show the assumptions including rates and DCR. 2) More detailed cost estimate for DPR vs IPR; and 3) More detailed methodology behind current and new recycled O&M costs and methodology behind 60% utilization/yield factor.	12/30/15		01/22/16 CEO Bulletin.
I-16-0027	Pending	06/28/16	Lezotte	Camacho	Follow-up to BMR-1609935: Staff to provide additional information on how the participatory activities previously reported, is helping the District plan for climate change adaptation.	07/19/16		
I-16-0008	Pending	03/23/16	Varela	Camacho	Provide Director Varela with a map showing his district's boundaries.	04/12/16		03/24/16 CEO Bulletin.
I-16-0024	Pending	06/14/16	Varela	Fiedler	Staff is requested to make a presentation to the Board as soon as possible on the cost/benefit analysis of investing in Los Vaqueros and Pacheco Watershed Storage as an alternative to the Delta WaterFix.	07/04/16		
I-16-0026	Pending	06/28/16	Varela	Camacho	GRU is to provide Director Varela with information for a presentation, experience managing the recent drought, at the 7/5/16 Small Business Forum Ground Water Summit.	07/19/16		