



## 2009-2010 SANTA CLARA COUNTY CIVIL GRAND JURY REPORT

# IS A CONFLICT OF INTEREST GUIDING THE SANTA CLARA VALLEY WATER DISTRICT IN ALVISO?

### Issues

1. Is the Santa Clara Valley Water District (SCVWD) Board Director representing District 3 improperly by using his board position to further his personal agenda in Alviso?
2. Does the SCVWD Board Director representing District 3 have a conflict of interest and is he violating his ethical duties?

### Summary

The SCVWD is responsible for water supply, flood control, and watershed operations while protecting the environment throughout Santa Clara County (County). The SCVWD serves the entire County, and should direct its planning and resources such that all County areas are served well and equitably. In recent years, however, the Board appears to have given special attention to Alviso through projects that offer recreational amenities unrelated to flood control and water supply. The SCVWD Board has followed the lead and influence of District 3 Director, Richard Santos, a long-time resident with significant property interests in Alviso.

In addition to his position as a Director on the SCVWD Board, Director Santos is an active participant in several community groups such as People Acting in Community Together (PACT), Alviso Water Task Force (AWTF), and the Alviso and Lower Guadalupe Collaborative (Collaborative). These groups lobby the SCVWD Board to bring improvements to Alviso.

Director Santos' connection to the following Alviso projects is considered in this report:

- Gold Street Education Center project
- Alviso Slough Restoration Project
- Improvements to the South Bay Yacht Club

Due to Director Santos' property interests in Alviso, and his continued participation on the SCVWD Board of Directors *and* concurrent attendance and participation at Alviso community action groups, the 2009 – 2010 Santa Clara County Civil Grand Jury (Grand Jury) believes that Director Santos may be in violation of his ethical duties to the SCVWD, the residents of the County, and the majority of his District 3 constituency. His conduct may also be in violation of state conflict of interest laws.

## **Methodology**

The Grand Jury conducted an investigation that included the following:

- Interviewed several current members of the SCVWD Board, including its current chair, Director Santos.
- Interviewed pertinent engineers and staff from the SCVWD and Santa Clara County Parks and Recreation Department.
- Conducted site visits and site inspections.
- Interviewed or met with former SCVWD staff and Board members.
- Reviewed numerous documents, including environmental reports, project specification reports, SCVWD Board member expense reports, historical data, SCVWD Board minutes dating from January 2001 to November 2009. (See [www.valleywater.org/about/boardmeetings.aspx](http://www.valleywater.org/about/boardmeetings.aspx) )
- Reviewed public records at the Santa Clara County Assessors' Office, Santa Clara County Planning Department, Santa Clara County Recorder's Office, and records from the Secretary of State's Office.

## **Background**

### **Alviso's History**

Alviso is located at the very end of North First Street in San Jose where the San Francisco Bay ends and San Jose begins. The community sits between the Lower Guadalupe River to the west and Coyote Creek to the east. Alviso was incorporated in 1852 and provided port access for San Jose when San Jose was the capital of California. The port was a hub for shipping and transportation between the North and South Bay. The community was vibrant and colorful, with a gambling casino, dance halls, shipbuilding, flour milling, and the third largest cannery in the United States.

There are acres of fragile wetlands near what once was the Alviso port. Numerous salt ponds blanket the Bay at the mouth of the Lower Guadalupe River, known as the Alviso Slough. The Alviso Slough empties into the Bay next to what is now the Alviso Marina County Park (Marina). Although the port is no longer viable, some residents of Alviso

feel it is important to maintain its legacy through preservation of its history and historical buildings. The goal of some community members is to return the port to full usage for a variety of recreational boating and even ferry service among all Bay-side communities. However, the Bay in this location is shallow due to the accumulation of silt. The cost of initial and continual dredging to maintain a proper depth over a distance of three to four miles to the Bay is likely prohibitive. Recently, the Santa Clara County Parks and Recreation Department completed a \$2 million upgrade to the Marina to include a boat launching facility for kayaks, canoes and motorboats. However, most motor boating is limited to high tide due to the water's shallow depth.

Since Alviso was annexed by San Jose in 1968, some members of the Alviso community have expressed discontent with the lack of services provided by the SCVWD as well as San Jose. During the decades marking the height of farming and ranching in the Santa Clara Valley, landowners siphoned extensive water from underground aquifers, which resulted in the landmass of Alviso dropping 13 feet. Although the excessive siphoning problem has been remedied, Alviso still remains below sea level. Some more vocal members of the Alviso community held the SCVWD responsible, claiming that more affluent communities get what they want from the SCVWD or San Jose while the Alviso community's needs are either ignored or forgotten. The 1983 flood exacerbated the feeling of neglect.

San Jose prepared the Alviso Master Plan in the 1990s to address some of Alviso's concerns. Some residents of Alviso believe promises were made that have yet to be fulfilled. For example:

- Keeping the Alviso Slough open for deep-draft boating and recreation
- Providing adequate flood protection

Some Alviso community members believe that the Guadalupe River upstream received more attention from the SCVWD than the Lower Guadalupe River in Alviso. However, according to SCVWD staff engineers and planners, the Lower Guadalupe area project was completed and provides adequate flood protection. In fact, there has been considerable work done on the entire Guadalupe River, such as a \$500 million Guadalupe River project that provides 100-year flood protection.

## **Discussion**

### **The Santos Family Properties in Alviso**

The Santos family has been a significant presence in Alviso for several generations. Director Santos is the son of former Alviso mayor, Tony Santos. Director Santos and the Santos family own considerable property in the Alviso community. The Grand Jury inquired as to Director Santos' family connections in Alviso. In response, Director Santos stated that all residents of Alviso with the surname "Santos" are his relatives. The Santa Clara County Assessor's property roles list 29 properties in Alviso where ownership relates to the Santos name. (See Appendix A).

On Director Santos' recorded California Form 700 Statement of Economic Interest filed in 2009, he listed ownership interests in 23 properties in Alviso. At the time of the publication of this report, the Grand Jury was unable to determine the exact usage for these properties. However, Director Santos did state to Grand Jury members that he had at least 10 rental properties and three businesses in Alviso. The Assessor's records confirm that one of the businesses is the Summerset Mobile Home Park situated between Gold Street to the west and East Channel Drive that borders the Lower Guadalupe River. The mobile home park contains approximately 315 spaces for mobile homes, covers approximately 11 acres, and was assessed at \$1,526,083.00 as of June 30, 2009.

The majority of the 23 properties in which Director Santos claims a financial interest, including the mobile home park, are listed as held under the Santos/Alviso Partnership, LP, a limited partnership formed in September 2005. (See Appendix B)

**Approximate Locations of Properties in Alviso listed on Richard Santos' California Form 700 Statement of Economic Interests**



## Director Santos' SCVWD Board History

Director Santos is the current chair of the SCVWD Board. Director Santos was elected to the Board in 2000, replacing Board Director Robert Gross. The Grand Jury learned through interviews that this was believed to be an orchestrated hand-off of the Board position from one advocate of Alviso to another. In that election, Director Gross, the incumbent for District 3, had filed papers evidencing his intention to run for re-election. He was running unopposed. On the final day to file for election to the SCVWD Board, Director Santos filed the necessary paperwork to run for District 3. Director Gross then did not run and his name was not on the ballot, which effectively handed his seat to Director Santos. Director Gross, an Alviso business owner, had been and continues to be an active and vocal champion of Alviso.

District 3 is composed of Berryessa/Alum Rock, Alviso, Sunnyvale, Milpitas, and the area east of Highway 101 to the Evergreen area, with a combined population of approximately 335,000.<sup>1</sup> It appears that Director Santos has focused his efforts primarily on enhancing Alviso, which has approximately 2128<sup>2</sup> residents, and is less than 1% of his constituency.

## SCVWD Board of Directors Responsibilities Regarding Conflicts of Interest

The SCVWD Board of Directors is composed of seven members. Five members are elected from geographical areas which coincide with the County supervisorial districts, and two at-large members are appointed by the County Board of Supervisors. The directors serve overlapping four-year terms. Director Santos was first elected to the SCVWD Board in 2000. Director Santos served as Board chair in 2005 and 2010. The Board chair carries additional responsibilities, including assuring the integrity of the Board's processes.

Board members, including Director Santos, are bound by state laws pertaining to conflicts of interest. In particular, the Political Reform Act requires elected officials to file Statements of Economic Interests that require disclosure of certain reportable investments and positions in business entities, interests in real property and sources of income and gifts.

Under the Political Reform Act, **a public official may not take any part in a governmental decision in which the official has a disqualifying conflict of interest.** A public official has a conflict of interest with regard to a particular governmental decision if **it is reasonably foreseeable that the decision will have a material financial effect on one or more of the official's economic interests.** Economic interests are particular kinds of financial stakes held by public officials, such as investments in real property or for-profit businesses, or individuals or organizations that have provided income or gifts to public officials.

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<sup>1</sup> Santa Clara County Board of Supervisor Liz Kniss' website: [www.lizkniss.org](http://www.lizkniss.org).

<sup>2</sup> Derived from United States 2000 Census for Alviso referencing zip code 95002

Under the Political Reform Act, when a subject matter involving an economic interest of the elected official is on the agenda for discussion or action the elected official shall publicly identify each type of economic interest held by the public official and sufficient detail about that economic interest (e.g., address, business activity, source of income, etc.). The disclosure must be done orally by the public official and made part of the official public record. The public official must then recuse himself or herself and leave the room after identifying economic interests, and the public official not be counted toward achieving a quorum when the item is discussed.

If the official has a prohibited economic interest, the official must not:

- Vote on the matter
- Participate in the decision making
- Influence the decision making.

Director Santos' extensive economic interests (businesses, property, etc.) in the Alviso area require that he evaluate whether his participation or influence regarding Alviso-based projects on behalf of the SCVWD creates a prohibitive conflict of interest due to the foreseeability that his actions will have a material effect on his economic interests.

As of January 2007, cities, counties and special districts in California are required by law (AB 1234, Chapter 700, Stats. of 2005) to provide ethics training to their local officials on conflict of interest. California law requires state officials to complete an ethics training course within six months of their hiring, and every two years thereafter. Therefore, Director Santos should have completed ethics training covering the Political Reform Act and other subjects by July of 2007, and again in 2009. As a result, Director Santos should be aware of his conflicts of interest obligations.

### **Governance Responsibilities of the SCVWD Board**

In addition to being required to know about and abide by various state conflict of interests laws, the SCVWD Board has adopted its own governance policies that speak to board member discipline, ethical conduct, conflicts of interest, accountability, honesty, integrity, policy-making principles, and respect for roles. Section 6.1 states that members must have loyalty to the ownership, unconflicted by loyalty to staff, other organizations, and any personal interests as a consumer. Section 6.2 of the Board's governance policy specifically states that members must avoid conflict-of-interest with respect to their fiduciary responsibilities. These policies also limit the Board member from advancing personal or other interests without explicit Board authorization. The Board governance policies pertinent to this report are enumerated in Appendix C.

## **Director Santos' Involvement with Alviso Community Action Groups**

### **a. Alviso Water Task Force**

Active members of the Alviso community, including Director Santos, had for years looked primarily to the SCVWD to address the community's civic needs. For example, individuals would contact the SCVWD to: assist in removal of abandoned vessels and structures; resolve property easement issues and landowner disputes; request assistance to preserve historical buildings, complain about lack of storm drains, streets and sidewalk issues and numerous other non Water District issues. To improve communications between the community and the SCVWD, the SCVWD helped this group coalesce into the better organized and more efficient Alviso Water Task Force (AWTF), which consists of a group of residents, community leaders and business owners.

### **b. Alviso and Lower Guadalupe Collaborative (Collaborative)**

According to the Alviso Slough Restoration Final Engineers Report of 2009, following a January 2004 SCVWD Board directive, SCVWD staff entered into a collaborative agreement with members of the AWTF. It is referred to as the Alviso and Lower Guadalupe Collaborative. The Collaborative was to be based upon a mutual desire to work together, to build trust, and to achieve successful implementation of Alviso projects. The SCVWD and the AWTF each submitted a suggested list of interests for Alviso. A final shared common vision was agreed upon and the Collaborative Agreement was signed on December 6, 2004, nearly a year later.

The following is from the "Shared (Common) Collaborative Vision" in accordance with the executed agreement of December 2004:

- a) Remove 7 acres of vegetation and root mass to a depth of 4 feet between the Gold Street Bridge and County Marina.
- b) Restore the slough's open water channel width to prior to 1983 conditions.
- c) Improve navigable access so the community can expand on boating and other recreational opportunities.
- d) Restore historic public access and aesthetics for the Alviso community.
- e) Maintain 1 percent flood protection in Alviso Slough.
- f) Reduce mosquito nuisance.
- g) Expand open water habitat and inundated mudflat habitat of the slough.
- h) Promote integration with the Salt Pond Restoration Program to bring saltwater connections to the Lower Guadalupe River.

- i) Foster increased natural wildlife, wildlife habitat and fisheries in the region by improving the environmental quality of the river.
- j) Enhance recreational opportunities and waterway access to Santa Clara County by way of the Alviso Slough and the Lower Guadalupe River.
- k) Improve the channel conveyance system capacity immediately downstream of the Gold Street Bridge to convey, at a minimum, the in-channel volume of water anticipated to flow under the bridge during a 1 percent flood.
- l) Develop a multi-objective project that utilizes a design that recognizes and integrates with current and future projects.
- m) Encourage the muted tidal connection between Pond A-8 and the Alviso Slough for the purpose of increasing the tidal prism and water velocities in the slough as a potential Phase I of the South Bay Salt Pond Restoration Project.
- n) Ensure pump management does not compromise levee integrity.
- o) Create an aesthetically pleasing project that we can all be proud of.
- p) Provide trail extensions, trail improvements, and walkways that allow community members and visitors to enjoy nature.
- q) Provide tidal flood protection for the Alviso community.

Collaborative participants include senior SCVWD staff and the AWTF. Collaborative meetings are held once per month to address Alviso issues. The chair of the AWTF acts as the designated spokesperson for the AWTF and if there are concerns or questions, the chair is to raise them to the designated SCVWD senior manager. Issues not resolved within the Collaborative can be brought to the SCVWD Board on proper notification to all involved parties. The SCVWD notices the meetings and provides and maintains a special website for the Collaborative. Partly due to the contentious atmosphere of the meetings, the SCVWD hired an independent consultant to mediate and facilitate the meetings at SCVWD expense.

It is not uncommon for the SCVWD to form board committees or groups, however, they are usually formed for a specific project and terminate when the project is complete. The Collaborative, however, has no end date since it was established not for a specific project, but for a multitude of projects. (See Collaborative Agreement in Appendix D.)

Minutes from the Collaborative reflect that Santos family members often attend Collaborative meetings. The Collaborative provides an opportunity for SCVWD staff and community members to meet and discuss issues of concern. There is no mandate for SCVWD Board members to attend, yet Director Santos regularly attends. SCVWD expense reports reflect that the SCVWD reimburses Director Santos for his attendance at Collaborative meetings; evidence that he, in fact, does attend as a director.



### **c. Santos' Attendance at Other Alviso Community Action Group Meetings**

In addition, SCVWD expense reports show that Director Santos receives reimbursements from the SCVWD for his attendance at meetings held separately by the AWTF, PACT, Alviso community members, and the South Bay Yacht Club (SBYC). All of these groups lobby the SCVWD Board. Director Santos' actions at the meetings of the above-cited groups may represent a conflict of interest.

## **Gold Street Education Center Project**

### **a. Background on Education Facilities of the SCVWD**

There are currently two education centers built and/or maintained by the SCVWD: Coyote Creek Outdoor Classroom and McGlincey Percolation Ponds adjacent to the Edith Morley Park Outdoor Classroom. Coyote Creek is padlocked, may be used only by appointment, and, according to data provided by the SCVWD to the Grand Jury, has been visited by only eight student classes since it opened in 2008. Morley Park has been used by only 19 classes since 2008.

Additionally, through its education program, the SCVWD provides tours of the Alamos Groundwater Recharge Facility adjacent to SCVWD headquarters in San Jose, and Christmas Hill Park in Gilroy. A summary of attendance statistics was provided by the SCVWD. (Appendix E) After several requests for documentation substantiating the statistics in Appendix E, SCVWD informed the Grand Jury that such documentation does not exist.

Overall, the outdoor classroom education centers appear to serve more as parks for aesthetic purposes than as viable educational tools to spread information about water issues. Some SCVWD Board members told the Grand Jury that the facilities are underutilized. Two Board members suggested that they were a waste of money and should be torn down.

### **b. Gold Street Education Center Project Proposal**

Despite the underutilization of its two existing outdoor education centers, the SCVWD plans to construct the Gold Street Education Center in 2010-2011 on a .5-acre lot in Alviso. The approximate cost is \$1.1 to \$1.3 million plus an estimated \$20,000 to \$30,000 per year for maintenance. The current design consists of a large open gazebo, landscaping, interpretive displays, parking and restrooms. (See Appendix F) It is to be located on Gold Street at the entrance to the community of Alviso near the Lower Guadalupe River. The center will be built on land owned by the State of California and leased to the SCVWD for a nominal sum. No studies have been conducted to determine how many student classes would use the facility.

In June 2009, the 2008 – 2009 Santa Clara County Civil Grand Jury published its report, “The Gold Street Education Center; \$1.38 Million For What?”, which recommended that the SCVWD not expend further funds or resources on the Gold Street Education Center project because of the underutilization of the existing outdoor classrooms.

Significantly, the land to be used borders the mobile home park in which Director Santos holds a financial interest.

### Location of Future Gold Street Education Center and Sunnyside Mobile Home Park



The origin of the proposal for Gold Street Education Center project is not clear. By one account, the proposal came from SCVWD staff, by another it came from the AWTF, and by yet a third it came from an interested Board member. More than one person reported to the Grand Jury that after a staff presentation concerning the Coyote Creek Education Center, Director Santos wanted to know how one could be built in Alviso.

### **c. Influencing Board Decisions Concerning the Gold Street Project in Alviso**

After Director Santos' election to the SCVWD Board, the first recorded discussion of the Gold Street project was Feb. 18, 2003. At this meeting, a motion was made to pursue the project. Director Santos voted in favor of pursuing the project as described. At the time the vote was taken, the Grand Jury believes, he either knew or had reason to know that he had a financial interest in the mobile home park directly adjacent to the Gold Street project site.

On June 17, 2003, the minutes of the SCVWD Board meeting reflect that Director Santos voted in favor of directing staff to inquire about the state-owned parcel on Gold Street.

Throughout the recorded minutes, the project is referred to as the Gold Street project. On Jan. 20, 2004, after a presentation at a SCVWD Board meeting on the subject by an AWTF member, a motion was made to continue pursuit of an educational center project at the State of California property on Gold Street. Director Santos seconded the motion and voted in favor. The motion passed. Again, the Grand Jury believes that at this time, he either knew or had reason to know that he had a financial interest in the mobile home park adjacent to the Gold Street project site.

At a Sept. 14, 2004, AWTF meeting, minutes show that Director Santos promoted the Gold Street Education project as historically relevant to Alviso citizens. At the conclusion of the discussion, Alviso citizens requested that the SCVWD investigate the project further.

In reviewing the SCVWD Board meeting minutes in 2005, the Grand Jury did not find mention of the Gold Street Education Center project.

June 6, 2006, the SCVWD Board minutes reflect that Director Santos abstained from voting on the portions of the SCVWD budget relative to the Gold Street Education Center project and the Alviso Slough Restoration Project. The Grand Jury notes that by the time of his recusal, considerable money had been spent by the SCVWD on preparation and planning for this project. Despite his recusal, Director Santos continued to attend and participate in AWTF planning meetings where the subject was discussed and advocated, as evidenced by expense reimbursements from the SCVWD. (Appendix G)

At an Aug. 8, 2006, Collaborative meeting, the SCVWD staff reviewed the Gold Street project. Collaborative members suggested changes and additions to the project. The minutes show Director Santos in attendance.

From 2006 until 2009, the Gold Street project was subject to environmental impact reviews, grant applications and design reviews. It should be noted that, as of this writing, the grant applications have not been successful. Further, both San Jose and County Parks and Recreation were not interested in participating financially in the project. Funding will be borne solely by the SCVWD.

On Oct. 14, 2008, SCVWD Board minutes reflect that the Board was considering the adoption of the 2008-2009 Five-Year Capital Improvement Program (CIP). At this meeting Director Santos stated for the record that he would abstain from participating in discussions or votes related to the Gold Street Education Center project. The CIP included allocation of funds for the Education Center project. When the CIP vote was called, Director Santos voted in favor of the CIP that included the Gold Street project.

On July 28, 2009, the SCVWD Board voted to adopt the final initial study for the Gold Street Education Center project. The Board Minutes reflect that Director Santos disqualified himself from the discussion “due to real property interests in the area of the proposed project and left the meeting.”

The Grand Jury learned through its investigation that prior to August 2009, a question was raised concerning the proposed Gold Street project location. In August of 2009, Director Santos went to Alviso with another SCVWD board member who was leaning toward utilizing Alviso’s Marina rather than the Gold Street site for an education center. The Grand Jury learned from interviews that Director Santos’ purpose was to encourage the Board member to use Gold Street as opposed to the Marina for the education center site. On Sept. 22, 2009, the SCVWD Board discussed the alternative Marina site for the education center. The Board subsequently dropped the Marina site from consideration.

On Oct. 13, 2009, the SCVWD held a special Board meeting in Alviso to solicit public input on choosing the site of the proposed education center. It was reported that there was broad community support for the Gold Street location. Notably, Director Santos stated to Grand Jury members that he personally packed the meeting with people from Alviso. Director Santos and several Santos family members were also in attendance. Minutes of the meeting state that Director Santos recused himself from “participation on the Board for this meeting, citing that his family owns property in the project area.” (Special Meeting, Tuesday, October 13, 2009, SCVWD Board of Directors Meeting) Defining his interests as ‘family-owned’ did not accurately describe Director Santos’ personal economic interest in the mobile home park located directly adjacent to the proposed Gold Street site.

On Oct. 27, 2009, after a lengthy discussion, the SCVWD Board voted to proceed with the project with costs going forward not to exceed \$700,000 in addition to the approximate \$500,000 already spent. However, the Grand Jury notes that at any time during the project, the SCVWD Board can modify the funding allocations up or down. Director Santos recused himself and left the meeting during the vote.

As of this writing, the SCVWD is still planning to go forward with the Gold Street Education Center project, which is adjacent to Director Santos’ mobile home park.

## **The Alviso Slough Restoration Project (ASRP)**

The SCVWD Board minutes reflect that on June 17, 2003, Director Santos requested that the SCVWD Board support the Lower Guadalupe River project extension from the Gold Street Bridge to the Bay, which was to be considered at the July 8 meeting.

At a special public meeting of the SCVWD on July 8, 2003, the Board, including Director Santos, discussed environmental restoration, which includes removal of aquatic vegetation from the Alviso Slough, and recreational opportunities of the Alviso Slough area.

In 2004, in reaction to demands of vocal residents of Alviso, the SCVWD Board directed staff engineers to develop a slough project with a total projected cost of \$2.5 million to remove 7.5 acres of root-mass and vegetation to a depth of four feet from the Alviso Slough, starting at the Gold Street Bridge and extending north to the Marina. The Grand Jury notes that this project is not a flood protection project. The SCVWD had completed its flood protection project for Alviso in 2004 as part of the larger \$500 million Guadalupe River project.

Some citizens of Alviso, including Director Santos, expressed concern that the proposal was inadequate. These citizens belonged to the AWTF, which is part of the Collaborative. One of the main objectives of the Collaborative is to expand on the restoration proposal and restore the Alviso Slough's channel width and habitat to pre-1983 conditions. This would improve the community's ability to pursue improved navigation, public access, and aesthetics, and to allow for the expansion of boating and other recreational and/or tourism opportunities in Alviso.<sup>3</sup> This plan would require \$22 million for vegetation and root mass removal to a depth of four feet over 15.3 acres, and additional dredging over 9.7 acres to a 10-foot depth for a total project footprint of 25 acres between the Gold Street Bridge and the Alviso Marina. Dredging would have to be repeated every five years, at a cost of millions of dollars each time.

Based on information obtained through interviews, the Grand Jury learned that it has long been Director Santos' intent, as he has stated to both SCVWD staff and to some SCVWD Board members and others, to return the Slough to its pre-1983 condition. He wants this in order to improve Alviso by allowing for boating, waterskiing and other water sports, as well as commercial ferries from the North Bay to the South Bay. He has participated in Collaborative meetings where these goals are advocated, and in SCVWD meetings where funding is decided. The Grand Jury believes an increase in recreation and commerce in Alviso would enhance property values in Alviso, including the significant property interests of Director Santos.

On Sept. 21, 2004, the SCVWD Board minutes reflected that SCVWD staff had been meeting regularly with the AWTF and members of the Alviso community to discuss issues of concern including the ASRP. The minutes also reflect that Director Santos had been continuing to attend the AWTF meetings where the ASRP was discussed.

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<sup>3</sup> Alviso Slough Restoration Project: final Engineers Report, October 2009, Santa Clara Valley Water District.

As evidenced by his expense reimbursements from the SCVWD during 2005, Director Santos continued to attend AWTF, Collaborative and other community meetings.

On March 28, 2006, the SCVWD Board discussed the preparation and planning study for the ASRP. The Board expressed concerns including project cost, scope and long-term maintenance. Despite these concerns, Director Santos argued for the ASRP.

On June 6, 2006, the SCVWD Board minutes reflect that Director Santos abstained from voting on portions of the budget related to the ASRP.

On Oct. 10, 2006, the SCVWD Board minutes reflect that Director Santos attended an ASRP planning meeting.

On Oct.14, 2008, SCVWD Board minutes reflect that Director Santos voted in favor of funding improvements to the Alviso Slough, as part of the SCVWD's CIP, even though he had recused himself from voting on the Alviso Slough budget in 2006.

The Nov. 10, 2009, SCVWD Board minutes reflect that a lengthy discussion and video presentation on the ASRP took place at the request of Director Santos. He again voted to approve a specific ASRP plan as designed by the SCVWD engineers, even though he had recused himself from voting on the Alviso Slough budget in 2006. "Director Santos requested that staff address additional vegetation cut-back versus root mass removal as part of the ASRP, and extend removal efforts from the Gold Street Bridge to the notch." (SCVWD Board of Directors Meeting Minutes November 10, 2009)

As a compromise to the extensive dredging preferred by the AWTF and Director Santos, the SCVWD is now proposing funding an additional \$10 million to remove more vegetation from the Alviso Slough. The removal will provide additional depth in the slough for boating—a direct benefit to Alviso where Director Santos and his relatives hold significant real property interests. However, this current SCVWD proposal is not necessarily the end of the matter. The Grand Jury is concerned that, as a director, Director Santos could continue to influence the SCVWD Board members to expand on the proposal and restore the Alviso Slough's channel width and depth to pre-1983 conditions at considerable expense.

## **South Bay Yacht Club (SBYC)**

### **a. The Alviso Slough Restoration Project Directly Benefits the SBYC**

The Grand Jury is also concerned about the propriety of Director Santos' active role as a SCVWD Board member in decisions benefiting the SBYC in Alviso; Director Santos has been a member of the SBYC for 25 years.

The improvements to the Alviso Slough advocated by Director Santos will directly benefit the SBYC because they will further open the water channel for boating beyond what has been done through the recent \$2 million upgrades to the Marina constructed by the County Parks and Recreation Department. The SBYC supports the Alviso Slough's restoration. In a recent SBYC flyer, the Club states that it "continues to work closely with many agencies to return the Alviso Slough to its historic condition as a destination providing marine recreation." The flyer points to the benefits of the project. It will "... partially restore the Alviso Slough to its historic condition...when completed in 2012; the Alviso Slough will once again have the capacity for recreational boats to utilize the facilities of the South Bay Yacht Club." (*South Bay Yacht Club Slough Info. Appendix H*)

#### **b. Director Santos Supports SBYC at SCVWD Board Meetings**

The SBYC, including the physical clubhouse, has been in existence in Alviso for over 100 years. After major flooding in 1983 caused in part by Coyote Creek overflowing its banks, the SCVWD funded relocation of the clubhouse to higher ground. Later, the SCVWD built additional levees for further flood control measures. The height of the new levees blocked views from the ground floor of the clubhouse. In 2003 and 2004, members of the SBYC, including Director Santos, requested that the SCVWD pay for raising the clubhouse in order to restore the views to their pre-levee state.

The Sept. 16, 2003, SCVWD Board minutes state, "Santos asked staff to come back with cost estimates for raising the yacht club so that construction of the flood control project did not block views."

On Sept. 21, 2004, Director Santos moved that the SCVWD raise the SBYC clubhouse. After discussion, the motion was amended by Director Santos that the SCVWD consider raising the SBYC clubhouse after staff provided more information on the funding ideas for the project.

No further mention of raising the SBYC clubhouse is referenced in the SCVWD Board minutes. However, there are references in minutes from the Collaborative in which improvements to the SBYC clubhouse are discussed.

As of the date of this report, the SCVWD has not acted on the raising of the SBYC clubhouse. However, the SCVWD did expend approximately \$10,000 for constructing stair access from the clubhouse to the top of the levee. It is not known at this time if the issue will be raised again for a vote by the SCVWD Board.

There were several notations in the SCVWD Board minutes over a two to three-year period of some Alviso community members appearing before the SCVWD Board to voice complaints regarding the SBYC polluting the Slough and the Board favoring the SBYC's interests. Director Santos participated in these decisions even though he is a member of the SBYC.

## **Summary of Santos' Economic Interests and Actions**

Director Santos has economic interests in the Alviso area: by his own admission; according to his Form 700 disclosure; and as evidenced by his inconsistent recognition that he should recuse himself from voting on various actions by the SCVWD Board. Director Santos' interests date back several years, however, and Director Santos has not consistently recused himself from all aspects of these projects both before his initial recusal and after.

Even where Director Santos has stated his recusal at a public meeting he has not removed himself from influencing the SCVWD's decisions regarding the above projects. Director Santos' attendance at Collaborative meetings and AWTF meetings is of particular concern in this regard because:

- His attendance is not mandated under the Collaborative Agreement.
- Director Santos is representing his personal interests at the AWTF, PACT and Collaborative meetings. However, at the same time, he is receiving meeting expense reimbursements from the SCVWD for attending these meetings and thus is acting as a Board director at the meetings. As a Board director, he must abide by Board policies and direction.
- It is difficult to determine when he is participating as a private citizen promoting his own interests, and when he is participating as a public official representing District 3.
- Director Santos' participation in the AWTF, PACT and Collaborative meetings provides a mechanism to promote his solo interests outside the public scrutiny of the constituents that the entire SCVWD Board serves and outside the open public debate that occurs at the SCVWD Board meetings.
- The Grand Jury learned through interviews that Director Santos berated SCVWD staff during Collaborative meetings.
- Director Santos and his relatives have significant property interests in Alviso that may benefit from the programs discussed at these meetings and ultimately adopted by the SCVWD Board.

California conflict of interest laws prohibit public officials at all levels of local government from making, participating in making or in any way attempting to use their official position to influence a government decision in which they know or have reason to know they have a financial interest. (See Political Reform Act, which is included in California Government Code Sections 81000 – 91014) The Grand Jury is concerned that, as a result of his conduct pertaining to the Gold Street Education Center project, the ASRP and improvements to the SBYC, Director Santos may be in violation of his ethical obligations to his constituents and may be in violation of California conflict-of-interest laws and Board governance policies.



The SCVWD Board did not adhere to its own good governance practices, and did not question Director Santos when he participated in discussions and voted on projects from which he had previously recused himself due to personal financial interests.

## **Conclusions**

The SCVWD is charged with the responsibility to provide a safe sufficient water supply, adequate flood control and watershed stewardship. The public should be able to trust that SCVWD Board members have the interest of the entire county as their primary focus. Director Santos has steered far afield of these core objectives. He has failed to uphold his ethical obligations to the SCVWD, the citizens of the county and the majority of the citizens of District 3 through his conduct.

The Gold Street Education Center project should not go forward. The SCVWD has not demonstrated the need for an additional education center. There is no evidence that this center would receive enough use to justify the \$1.1 million to \$1.3 million to construct the center and the ongoing expenses to maintain it. The Grand Jury notes that the project will be located directly adjacent to the Summerset Mobile Home Park in which Director Santos has a significant financial interest. The project would provide a park-like setting at the entrance to the Summerset Mobile Home Park.

On matters where Director Santos has a personal financial interest, any recusal from voting or discussions must be for the entire process. Recusal once or twice is not sufficient. He has demonstrated an inconsistent pattern of adhering to the rules of recusal and abstention as they relate to conflicts of interest. He must recuse himself each and every time the matter is being addressed by the Board and not participate in discussions on that topic at the Board level or at community meetings.

The Grand Jury questions whether it is appropriate for Director Santos to participate in AWTF meetings because he can influence the positions and expectations of its members without full SCVWD Board authorization. We also question whether it is appropriate for Director Santos to attend Collaborative meetings because evidence exists that he is promoting his position on matters discussed and he has berated SCVWD staff at these meetings to further his personal objectives. He is interfering with SCVWD staffs' objectives to negotiate for the SCVWD to reach common solutions with the Alviso community. In addition, because Director Santos and his relatives have significant financial interests in Alviso, it is impossible for him to represent his Alviso constituency without either an actual conflict or the appearance of a conflict.

Attending AWTF and Collaborative meetings provides Director Santos with a stage to promote projects that would benefit his personal financial interests outside the scrutiny of a publicly noticed SCVWD Board meeting. His actions may create mistrust of SCVWD actions as a whole among citizens of the county. This Grand Jury believes that Director Santos' participation in the AWTF and the Collaborative concurrently with his SCVWD Board position may be inappropriate given his significant financial interests in Alviso.

## **Findings and Recommendations**

### **Finding 1**

The SCVWD plans to build an additional outdoor education center (Gold Street Education Center) at a cost of between \$1.1 million and \$1.3 million in Alviso. The attendance data provided by SCVWD for the existing education centers do not support the need for another education center.

### **Recommendation 1**

In lieu of building the Gold Street Education Center, the SCVWD should consider less costly methods of satisfying stated education goals like the addition of strategically placed interpretive signage on hiking and biking trails bordering the Alviso Slough, and Bay and/or at the Marina, detailing history and current conditions of water issues related to Alviso.

### **Finding 2**

The SCVWD provided this Grand Jury with a summary of their outdoor classroom program attendance. After repeated requests, the Grand Jury was told that the data verifying the summary figures do not exist.

### **Recommendation 2**

The SCVWD should maintain accurate records that verify the outdoor classroom program attendance to properly evaluate the need for any additional education centers.

### **Finding 3**

The Gold Street Education Center site is located directly adjacent to Director Santos' mobile home park. Director Santos should have properly recused himself from all aspects of voting, decision making and influencing the project. His failure to recuse himself may have been a violation of conflict-of-interest laws.

### **Recommendation 3**

Director Santos should fully and consistently recuse himself and refrain from otherwise influencing any aspect of the Gold Street Education Center project.

Director Santos should adhere to all conflict-of-interest laws and policies to which he is subject.

## **Finding 4**

SCVWD directors were aware that Director Santos advocated for the Gold Street site location for the education center. SCVWD directors were also aware that Director Santos had a personal financial interest in the adjacent mobile home park and that Director Santos did not recuse himself from voting on Gold Street Education Center consistently or otherwise refrain from influencing the decision making regarding the project. The directors failed in their fiduciary responsibility to the SCVWD and their constituents by acquiescing to Director Santos' promotion of the Gold Street Education Center project at considerable expense to rate payers.

## **Recommendation 4**

The SCVWD Board should re-evaluate its commitment to the Gold Street project given Director Santos' conduct and Board members' acquiescence to Director Santos' inappropriate involvement in the project.

## **Finding 5**

Director Santos has significant property interests in Alviso that greatly limit his ability to ethically participate in SCVWD projects in Alviso. Under Board governance policies, the Board commits itself and its members to ethical, businesslike, and lawful conduct including that members must have loyalty to the SCVWD unconflicted by personal interests. Director Santos' conduct with respect to Alviso-based projects does not adhere to Board policies.

## **Recommendation 5**

If Director Santos cannot conform to Board governance policies because his conflicts of interest are too pervasive, he should either divest himself of his property interests or resign from the SCVWD Board.

## **Finding 6**

Director Santos has been attending the Alviso and Lower Guadalupe Collaborative meetings, Alviso Water Task Force meetings, and other community meetings. At these meetings, he has berated SCVWD staff, and advanced personal or other interests without explicit SCVWD Board authorization, which is a violation of the SCVWD Board's code of conduct, per Board Governance Policy 6.

## **Recommendation 6**

At these meetings, Director Santos should adhere to the conduct required of him by SCVWD Board Governance Policy 6.

## **Finding 7**

On June 6, 2006, the SCVWD Board minutes reflect that Director Santos abstained from voting on portions of the budget related to the Alviso Slough Restoration Project. Later, on Oct. 14, 2008, SCVWD Board minutes reflect that Director Santos voted in favor of the SCVWD's Capital Improvement Projects (CIP) that included funding for improvements to the Alviso Slough, even though he had abstained from that vote in 2006. On Nov. 10, 2009, Director Santos voted to approve the specific ASRP plan, after having abstained in 2006.

## **Recommendation 7**

Director Santos should fully and consistently recuse himself and refrain from otherwise influencing any aspect of a project in which he has declared a conflict of interest, such as the ASRP.

## **Finding 8**

Director Santos is a long-time member and staunch advocate of the South Bay Yacht Club, a nonprofit organization. As a member of the SCVWD Board, he has advocated that the Board fund improvements to the SBYC and its clubhouse at both SCVWD Board and community meetings. His unconflicted loyalty is owed to the SCVWD (Board Policy 6.1), but his demonstrated allegiance has been to the SBYC.

## **Recommendation 8**

Director Santos should adhere to SCVWD Board Governance Policy 6.1 that requires him to be unconflicted by loyalties to other organizations. In order to abide by this policy, he should recuse himself from discussing, voting, or influencing the SCVWD regarding the SBYC to avoid the actual or appearance of ethical impropriety.

## **Finding 9**

The SCVWD Board did not adhere to its own good governance policies when it acquiesced to Director Santos' promotion of projects where it was apparent he had personal and/or financial interests.

## **Recommendation 9**

The SCVWD Board should consistently adhere to its own governance policies.

## Appendix A

### Properties in Alviso with the Surname “Santos” by Parcel Number

	<b>ASSESSOR'S PARCEL NUMBER</b>	<b>MAILING CITY</b>	<b>MAILING ZIP</b>
1	01506171	ALVISO, CA	95002
2	01513004	ALVISO, CA	95002
3	01525005	ALVISO, CA	95002
4	01525012	ALVISO, CA	95002
5	01511020	ALVISO, CA	95002
6	01506045	ALVISO, CA	95002
7	01506081	ALVISO, CA	95002
8	01502020	ALVISO, CA	95002
9	01506167	ALVISO, CA	95002
10	01506014	ALVISO, CA	95002
11	01506031	ALVISO, CA	95002
12	01502025	ALVISO, CA	95002
13	01503031	ALVISO, CA	95002
14	01503032	ALVISO, CA	95002
15	01503033	ALVISO, CA	95002
16	01503034	ALVISO, CA	95002
17	01505001	ALVISO, CA	95002
18	01505002	ALVISO, CA	95002
19	01505042	ALVISO, CA	95002
20	01506050	ALVISO, CA	95002
21	01506051	ALVISO, CA	95002
22	01511092	ALVISO, CA	95002
23	01512027	ALVISO, CA	95002
24	01504013	ALVISO, CA	95002
25	01504014	ALVISO, CA	95002
26	01504020	ALVISO, CA	95002
27	01504021	ALVISO, CA	95002
28	01534043	ALVISO, CA	95002
29	01539023	ALVISO, CA	95002

## Appendix B

### California Form 700 Statement of Economic Interests Data for Richard Santos

Marker on Pg. 6 map	Assessor's and Parcel Number	ADDRESS	Approximate Location
1	015-02-025	1010 Taylor St. San Jose	
2	015-03-031	1537 Liberty St. San Jose	
3	015-03-032	5220 N. 1st. San Jose	
4	015-03-033	5214 N. 1st. San Jose	
5	015-03-034	5210 N. 1st. San Jose	
6	015-04-011	None *	(approx)1640 Liberty
7	015-04-013	Liberty St. San Jose	(approx)1650 Liberty
8	015-04-014	Liberty St. San Jose	(approx)1655 Liberty
9	015-04-020	Gold St. San Jose	(approx)1601 Gold
10	015-04-021	None	(approx)1625 Liberty
11	015-05-001	1228 Wabash St. & 5202 N. First St.	
12	015-05-002	None	(approx)1227 Wabash
13	015-05-042	None	(approx)1233 Wabash
14	015-06-050	1432 Michigan Ave. San Jose	
15	015-06-051	1416 Michigan Ave. San Jose	
16	015-11-092	1421 Pacific Ave. San Jose	
17	015-12-027	State St. San Jose	(approx)1353 State
18	015-13-004	La Salle St. Alviso	Undeveloped N. of State
19	015-25-005	Randolph St. Alviso	Undeveloped N. of State
20	015-25-012	Madison St. Alviso	Undeveloped N. of State
21	015-34-043	4650 Gold St. San Jose (aka 2052 Gold Street, San Jose)	
22	015-39-023	None	(approx)1600 Moffat
23	015-39-040	5004 N 1st. San Jose	

\* According to the Assessor's roles this property is listed as owned by the Santa Clara Valley Water District.

# Appendix C

## SCVWD Board Governance Policies Pertinent To This Report

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### **Governance Policies of the Board**

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## Appendix C - continued

### Governance Policies of the Board

<b>Title:</b>	<b>Governing Style</b>	
<b>Category:</b>	<b>Governance Process</b>	
<b>Policy No. GP-2</b>	<b>Date of Adoption: June 15, 1999</b> <i>Original signed by: Larry Wilson, Chair</i>	<b>Date of Latest Revision: March 24, 2009</b> <i>Original signed by: Sig Sanchez, Chair</i>
<b>Board Officer's affirmation of official Board action adopting this policy.</b>		

The Board will govern with an emphasis on (a) outward vision, (b) encouragement of diversity in viewpoints, (c) strategic leadership more than administrative detail, (d) clear distinction of Board and chief executive roles, (e) collective rather than individual decisions, (f) future rather than past or present, and (g) pro-activity rather than reactivity.

Accordingly:

- 2.1. The Board will cultivate a sense of group responsibility. The Board, not the staff, will be responsible for excellence in governing. The Board will be the initiator of policy, not merely a reactor to staff initiatives. The Board may use the expertise of individual members to enhance the ability of the Board as a body, rather than to substitute the individual judgments for the Board's values.
- 2.2. The Board will direct, control, and inspire the organization through the careful establishment of broad written policies reflecting the Board's values and perspectives. The Board's major policy focus will be on the intended results, not on the administrative or programmatic means of attaining those effects.
- 2.3. The Board will further inform itself, individually and collectively, through extensive outreach to determine community wishes and through continuing education on issues relevant to the District.
- 2.4. The Board will enforce upon itself whatever discipline is needed to govern with excellence. Discipline will apply to matters such as attendance, preparation for meetings, policymaking principles, respect of roles, decorum and ensuring the continuance of governance capability.
- 2.5. Continual Board development will include orientation of new Board members in the Board's governance process and periodic Board discussion of process improvement.
- 2.6. The Board will allow no officer, individual, or committee of the Board to hinder or be an excuse for not fulfilling its commitments.



## Appendix C - continued

### **Governance Policies of the Board**

- 2.7. The Board will monitor the Board's process and performance. Self-monitoring will include comparison of Board activity and discipline to policies in the Governance Process and Board-BAO Linkage categories.
- 2.8. While serving as a member of the Board of Directors, and for one year immediately following the end of the Board member's term of office, no Board member shall seek or accept compensated employment by the District.
- 2.9. At the same time and place designated in the public notice for budget review, the Board shall review its financial reserves, including the justification therefor and an overview of its reserve management policy. The Board shall receive comments thereon from the public before acting on the budget.
- 2.10. The Board, by ordinance, will adopt regulations governing the activities of persons who lobby the District. Those regulations shall include provisions requiring registration of lobbyists, reporting requirements governing the activities of lobbyists and communications with Board members, and disclosure by Directors of contact with lobbyists prior to voting on matters related to the contact. This ordinance will be adopted no later than July 1, 2010.

## Appendix C - continued

### Governance Policies of the Board

<b>Title:</b>	<b>Chairperson's Role</b>	
<b>Category:</b>	<b>Governance Process</b>	
<b>Policy No. GP-5</b>	<b>Date of Adoption: September 7, 1999</b> <i>Original signed by: Larry Wilson, Chair</i>	<b>Date of Latest Revision: December 15, 2009</b> <i>Original signed by: Sig Sanchez, Chair</i>
<b>Board Officer's affirmation of official Board action adopting this policy.</b>		

The Chairperson assures the integrity of the Board's process and, secondarily, occasionally represents the Board to outside parties.

Accordingly:

- 5.1. The job result of the Chairperson is that the Board behaves consistently with its own rules and those legitimately imposed upon it from outside the organization.
  - 5.1.1. Meeting discussion content will be only those issues which, according to Board policy, clearly belong to the Board to decide, not the BAOs.
  - 5.1.2. Deliberation will be fair, open, and thorough, but also timely, orderly, and kept to the point.
- 5.2. The authority of the Chairperson consists in making decisions that fall within topics covered by Board policies on Governance Process and Board Appointed Officer Linkage, with the exception of (a) employment or termination of a BAO and (b) where the Board specifically delegates portions of this authority to others. The Chairperson is authorized to use any reasonable interpretation of the provisions in these policies.
  - 5.2.1. The Chairperson is empowered to Chair Board meetings with all the commonly accepted power of that position (e.g., ruling, recognizing).
  - 5.2.2. The Chairperson is empowered to add items to Board Advisory Committee agendas.
  - 5.2.3. The Chairperson has no authority to make decisions about policies created by the Board within Ends and Executive Limitations policy areas. Therefore, the Chairperson has no authority to supervise or direct the BAOs.

## Appendix C - continued

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### **Governance Policies of the Board**

- 5.2.4. The Chairperson may represent the Board to outside parties in announcing Board-stated positions and in stating Chair decisions and interpretations within the area delegated to her or him.
- 5.2.5. The Chairperson may delegate this authority, but remains accountable for its use.
- 5.2.6. The Chairperson will determine, in concert with the CEO as necessary, whether to place on an agenda consideration of documents of support or recognition (e.g., resolutions, commendations, certificates of appreciation, etc.) for individuals, organizations or efforts in the community by evaluating whether the individual, organization or effort has a clear nexus to issues relevant to the District. *See CEO Interpretation*
- 5.2.6.1 A Board member may, at his or her discretion, request the CEO to prepare for the Board member's signature a Certificate of Appreciation for an individual, organization, or effort. The Chair may also sign the Certificate.
- 5.2.6.2 No more than three Board members may sign one of the aforementioned documents, unless the action was approved by the Board at a Board meeting.
- 5.2.6.3 Should there be disagreement between the Chair and a Board member over a request for placement of any of the above-mentioned documents on an agenda, the Board member may request that the matter be placed on the next available Board agenda for consideration.
- 5.3. The Board of Directors elects both the Chairperson (Chair) and Vice Chairperson (Vice Chair) of the Board. The Chair and Vice Chair each serve 1-year terms beginning at the first Board meeting in January of each year.

Accordingly:

- 5.3.1. Election to the positions of Chair and Vice Chair rotates from member to member based on seniority of the Board members who have not most recently served, except as follows:
- 5.3.1.1. Nominees for Chair must have first served 2 years on the Board.

## Appendix C - continued

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### **Governance Policies of the Board**

- 5.3.1.2. Board members who must forego nomination for Chair or Vice Chair because of lack of tenure on the Board must "swap" their position on the succession list with the Director next in line.
- 5.3.1.3. When individuals are first elected or appointed to the Board, they shall not be placed at the end of the succession list, but shall occupy the list position of his/her predecessor Board member.
- 5.3.1.4. Any Board member may, at his/her discretion, and on a one-time basis, postpone by one year the acceptance of either the Chair or Vice Chair office by "swapping" with the Director immediately following him/her on the list of succession.
- 5.3.1.5. A nominee for Chair or Vice Chair who in his/her discretion has once chosen to postpone acceptance of the Chair or Vice Chair position may not do so a second time without being placed at the end of the existing succession list. This rule applies to discretionary swapping, not instances where swapping was mandated as a result of lack of tenure.
- 5.3.1.6. The Clerk of the Board shall maintain the list of Board member succession to the Chair and Vice Chair offices.

## Appendix C - continued

### Governance Policies of the Board

<b>Title: Board Members' Code of Conduct</b>		
<b>Category: Governance Process</b>		
<b>Policy No. GP-6</b>	<b>Date of Adoption: June 15, 1999</b> <i>Original signed by: Larry Wilson, Chair</i>	<b>Date of Latest Revision: March 24, 2009</b> <i>Original signed by: Sig Sanchez, Chair</i>
<b>Board Officer's affirmation of official Board action adopting this policy.</b>		

The Board commits itself and its members to ethical, business-like, and lawful conduct, including proper use of authority and appropriate decorum when acting as Board members.

- 6.1. Members must have loyalty to the ownership, unconflicted by loyalties to staff, other organizations, and any personal interest as a consumer.
- 6.2. Members must avoid conflict of interest with respect to their fiduciary responsibility.
- 6.3. Board members may not attempt to exercise individual authority over the organization.
  - 6.3.1. Members' interaction with the BAOs or with staff must recognize the lack of authority vested in individuals except when explicitly Board authorized.
  - 6.3.2. Members' interaction with public, press or other entities must recognize the same limitation and the inability of any Board member to speak for the Board except to repeat explicitly stated Board decisions.
  - 6.3.3. No member shall contact staff on behalf of a party who is bidding or intends to bid on a District contract or who has or intends to submit a response to a request for proposals or request for qualifications, nor shall a director inquire about the identity of bidders or proposers prior to the time that staff has made a recommendation for selection of a contractor, vendor, or consultant. Members are not prohibited from making general inquiries about the status of a particular procurement, or from providing a member of the public with information about the appropriate staff contact concerning procurement of goods and services by the District.
- 6.4. Members will respect the confidentiality appropriate to issues of a sensitive nature.
- 6.5. Members will be properly prepared for Board deliberation.

## Appendix C - continued

### **Governance Policies of the Board**

- 6.6. The Board may not authorize severance pay for a Board-appointed employee of the District when the employee voluntarily separates from District employment. "Severance pay" does not include any otherwise lawful payment required to be paid by the District under a pre-existing employment agreement or under a separation and release agreement resolving a claim or claims made or threatened against the district. The Board shall not agree to amend an employment contract after the employee announces or requests a voluntary separation, except upon a Board determination, in open session, that an adjustment in compensation is required to retain the employee and is in the best interest of the District.

## Appendix C - continued

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### Governance Policies of the Board

<b>Title:</b>	<b>Values Statement</b>	
<b>Category:</b>	<b>Governance Process</b>	
<b>Policy No. GP-7</b>	<b>Date of Adoption: June 15, 1999</b> <i>Original signed by: Larry Wilson, Chair</i>	<b>Date of Latest Revision:</b> <i>Original signed by:</i>
<b>Board Officer's affirmation of official Board action adopting this policy.</b>		

The values of the Board reflected throughout Board policies are as follows:

At the Santa Clara Valley Water District we believe, and together we will exemplify, the following values:

- 7.1. We are entrusted to serve the public and are responsible for carrying out the District mission for the benefit of the community.
- 7.2. We are committed to providing excellent service to all customers.
- 7.3. All individuals are unique and important, and will be treated with fairness, dignity, and respect.
- 7.4. We take pride in our work and are accountable and trusted to carry out our responsibilities safely with honesty and integrity.
- 7.5. Initiative, leadership, personal development, and training are vital for us to continuously improve.
- 7.6. Open communication, cooperation, and teamwork are shared responsibilities and essential to the successful performance of our work.
- 7.7. We are committed to creating an inclusive work environment which reflects and supports the diversity of our community and enriches our perspectives.
- 7.8. A balance between work and family is essential to the quality of our lives, and we will promote a family-friendly work environment.

## Appendix C - continued

### Governance Policies of the Board

<b>Title: Board Committee Structure</b>		
<b>Category: Governance Process</b>		
<b>Policy No. GP-9</b>	<b>Date of Adoption: June 15, 1999</b> <i>Original signed by: Larry Wilson, Chair</i>	<b>Date of Latest Revision: March 27, 2001</b> <i>Original signed by: Tony Estremera, Chair</i>
<b>Board Officer's affirmation of official Board action adopting this policy.</b>		

Nominations to committees shall be made by the Chair subject to approval by the Board, subject to annual review.

#### **Board Committees:**

A committee is a Board committee only if its existence and charge come from the Board, regardless whether Board members sit on the committee. Unless otherwise stated, a committee ceases to exist as soon as its task is complete.

#### **Board Members Representation on External Committees:**

Board members serving on external committees or other governing bodies shall serve under the advice and consent of the Board in the best interest of the District.



## Appendix C - continued

### Governance Policies of the Board

<b>Title: Cost of Governance</b>		
<b>Category: Governance Process</b>		
<b>Policy No. GP-10</b>	<b>Date of Adoption: September 28, 1999</b> <i>Original signed by: Larry Wilson, Chair</i>	<b>Date of Latest Revision: March 24, 2009</b> <i>Original signed by: Sig Sanchez, Chair</i>
<b>Board Officer's affirmation of official Board action adopting this policy.</b>		

The Board will invest in its governance capacity.

Accordingly:

- 10.1. Board skills, methods, and supports will be sufficient to assure governing with excellence.
  - 10.1.1. Training and education will be used by Board members to maintain and increase governance skills and understanding.
  - 10.1.2. Outside monitoring assistance will be arranged so that the Board can exercise confident control over organizational performance. This includes, but is not limited to, fiscal audit.
  - 10.1.3. Outreach mechanisms will be used as needed to ensure the Board's ability to listen to owner viewpoints and values.
- 10.2. Adequate funds will be proposed by the COB and budgeted annually by the CEO for support of the Board.
- 10.3. It is the policy of the Board that each Board member attend such meetings, events, conferences, and training as each Board member determines will best enable them to serve the District, including such compensation per day and reimbursement for actual and necessary expenses as may be allowed by law and as authorized by this policy.
  - 10.3.1 Board members are eligible for per diem compensation (subject to statutory 10 days per month limitation) for the following meetings, events and activities, all of which are hereby deemed by the Board to constitute the performance of official duties:
    - Regular and Special Meetings of the Board of Directors.

## Appendix C - continued

### **Governance Policies of the Board**

- Regular and Special Meetings of any standing or ad hoc committee of the Board of Directors, whether the attending member is a member of the committee or is attending as an observer.
- Regular and Special Meetings of any advisory committee or commission of the District, whether the attending member is a designated liaison to the committee or is attending as an observer.
- Regular and Special Meetings of any public entity legislative or advisory body of which the District is a member, or at which an agenda item related to the District's business is discussed.
- Meetings with local, state, and federal legislators and/or officials to discuss matters of District concern.
- Meetings of associations of governmental agencies, water policy organizations, and any other body of which the District is a member or which concerns water supply, flood protection, and/or natural resources.
- Conferences and educational workshops that are open to the public and/or to public agencies such as the District or concern water supply, flood protection, and/or natural resources.
- Community events sponsored by or featuring the District, or which concern water supply, flood protection, and/or natural resources, or which concern the relationship of the District to the communities it serves.
- Community meetings at which District projects or programs are presented, featured, or discussed.
- Meetings with District staff and/or District constituents concerning District business.
- Media appearances to discuss District issues (including but not limited to interviews and editorial board meetings).

## Appendix C - continued

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### **Governance Policies of the Board**

- Internal District activities such as cultural celebrations, employee group meetings, and employee recognition events.
  - Activities constituting direct Board inspection of District operations in accordance with Board-BAO Linkage Policy BL-5.
  - Participation in and completion of an approved online ethics course to meet the requirements of Government Code Sections 53234 -53235.5, which shall constitute a single meeting.
  - Any other meeting, event, or activity approved in advance by the Board.
- 10.3.2. Board members are eligible for reimbursement for actual and necessary expenses incurred by the Board member for the following:
- Travel/transportation, meals, registration fees, lodging, and incidental expenses reasonably incurred by the Board member in connection with the following meetings, events, and activities, all of which are deemed by the Board to constitute the performance of official Board duties: All meetings, events, and activities in the categories described in 10.3.1. "Incidental expenses" are the following: public transportation to/from airport; parking expenses; fuel for rental cars; tipping in accordance with policies applicable to District employees; expenses related to conducting District business while traveling (such as charges for phone, internet, or facsimile communication).
  - Office equipment, communication devices, supplies, publication subscriptions, membership dues, and educational materials utilized by the member for performance of Board duties.
- 10.3.3 Reimbursement rates for travel, lodging, and meal expenses incurred by a Board member and authorized under 10.3.2 will be in accordance with the following unless otherwise specifically approved by the Board in advance of occurrence of the expense:
- 10.3.3.1. Travel reimbursement will not exceed the government or group rate for airline, ground transportation, and rental cars where such rate is available. Air transportation will be economy/coach class. Reimbursement for rental cars will be at the midsize level, unless a group of District officials/personnel are

## Appendix C - continued

### Governance Policies of the Board

traveling together and choose to use a larger vehicle to accommodate the group. Shuttles, taxis, and car services are reimbursable in lieu of car rental. Board members wishing to upgrade flight or rental car class for personal convenience, or to combine personal with business travel thereby resulting in an increased fare, must pay the increased cost over the rates set forth in this policy. Mileage reimbursement for use of the Board member's own vehicle will be at the rate established for District employees.

- 10.3.3.2. Lodging reimbursement will not exceed the government or group rate for lodging where such rate is available. Reimbursement for lodging at conferences and organized educational activities will not exceed the maximum group lodging rate published by the activity sponsor if that rate is available at time of booking. Board members wishing to upgrade rooms and/or hotels or to incur additional guest charges will not be reimbursed for the cost difference.
- 10.3.3.3. Meal reimbursements will be provided up to \$60 per day (\$14 for breakfast, \$16 for lunch and \$30 for dinner) for Board members who provide receipts. In addition to the \$60 per day, Board members will be entitled to an additional \$15 per day, with receipts, when traveling to the cities identified by the US General Services Agency as "high cost of living areas" listed below. Board members who do not have receipts may be reimbursed up to \$39 (\$9 for breakfast, \$10 for lunch and \$20 for dinner) per day for meal expenses.

Los Angeles, CA	Boston, MA	New York City, NY
San Francisco, CA	Baltimore, MD	Cincinnati, OH
Denver, CO	Detroit, MI	Pittsburgh, PA
Washington, DC	St. Paul/Minneapolis, MN	Philadelphia, PA
Miami, FL	St. Louis, MO	Dallas, TX
Chicago, IL	Atlantic City, NJ	Arlington, VA
New Orleans, LA	Santa Fe, NM	Seattle, WA

## Appendix C - continued

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### **Governance Policies of the Board**

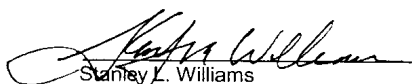
- 10.3.4. Board members will utilize expense reimbursement forms provided by staff in requesting per diem and expense reimbursement in accordance with this policy. The Board member will include receipts and any other information necessary to demonstrate that reimbursement is consistent with this policy and with Ch. 700, Stats. 2005. Expense reports must be submitted within a reasonable time after the expense is incurred.
  - 10.3.5. Board members will briefly report on meetings attended at District expense at the next regular Board meeting following the event at which the member is in attendance. On a quarterly basis, a report of the travel reimbursements to each Board member shall be placed on an open session Board meeting agenda for review and a determination by the Board whether the travel reimbursements comply with the Board's reimbursement policies adopted pursuant to Section 53232.3 of the Government Code. Only travel expenses in compliance with those policies may be reimbursed by the District.
- 10.4. Adequate liability insurance will be provided by the CEO at all times for Board members.

## Appendix D

# Alviso and Lower Guadalupe Collaborative Agreement

### ALVISO AND LOWER GUADALUPE COLLABORATIVE

Approved by:



Stanley L. Williams  
Chief Executive Officer  
Santa Clara Valley Water District

Approved by:



George Trevino, Chair  
Alviso Water Task Force  
P.O. Box 761  
Alviso, CA 95002

Effective Date: December 6, 2004

Date: 12-6-2004

Collaborative Prepared and Facilitated by:

Mary Ann Ruiz



Alviso Water Task Force

# Appendix D - continued

## ALVISO AND LOWER GUADALUPE COLLABORATIVE

This is a framework to define the collaborative process between the Alviso Water Task Force and the Santa Clara Valley Water District (District). This collaborative is based upon a mutual wish to work together, to build trust, and achieve successful implementation of Alviso projects.

### COLLABORATIVE VISION

Create a model in combining effective flood protection, habitat enhancement and restoration, and recreation in an urban area.

#### 1. Goals of Alviso Water Task Force

The primary goal of the Alviso Water Task Force is to work collaboratively with individuals and agencies to develop projects that combine effective flood protection, wildlife habitat enhancement and restoration, and recreation and quality of life improvements in and around the community of Alviso.

#### 2. Santa Clara Valley Water District

The mission of the District is a healthy, safe and enhanced quality of living in Santa Clara County through watershed stewardship and comprehensive management of water resources in a practical, cost-effective and environmentally sensitive manner.

#### 3. District Interests in the Alviso Community

- a) To design and construct projects in the Alviso community that are consistent with District's mission, supported by the community and approved by regulatory agencies.
- b) Remove 7 acres of vegetation and root mass to a depth of 4 feet between the Gold Street Bridge and County Marina.
- c) Restore the slough's open water channel width to prior to 1983 conditions. Photos of the slough from 1982 are shown in Attachments 2 and 3.
- d) Improve navigation so the community can expand on boating and other recreational opportunities.
- e) Restore historic public access and aesthetics for the Alviso community.
- f) Maintain 1 percent flood protection in Alviso Slough.
- g) Reduce mosquito nuisance.
- h) Expand open water habitat and inundated mudflat habitat of the slough.
- i) Promote the integration with the Salt Pond Restoration Program to bring saltwater connections to the Lower Guadalupe River.
- j) Establish a muted tidal connection between Pond A-8 and the Alviso Slough for the purpose of increasing the tidal prism and water velocities in the slough

## Appendix D - continued

through the South Bay Salt Pond Restoration Project. This effort should be considered as part of the South Bay Salt Pond Restoration Project potential Phase I project.

- k) Interim management and long-term restoration that provides for maintenance of flood protection levees.
- l) Reduce bank erosion and sedimentation-related impacts along the Lower Guadalupe River.
- m) Identify potential project impacts on Alviso and bayland areas and mitigate significant impacts.
- n) Provide tidal flood protection for the Alviso community.

#### 4. Alviso Water Task Force Interests

- a) Provide Restoration of the Guadalupe River to conditions prior to 1983 and provide Flood Control for the community in a manner that will incorporate the removal of the nonnative vegetation, create a tidal connection, and increase the salt water flow in the lower Guadalupe River.
- b) Foster increased natural wildlife, wildlife habitat and fisheries in the region by improving the environmental quality of the river and restoring the salt water flow through Pond A8 and the Lower Guadalupe River.
- c) Promote economic revitalization by restoring the recreational boating and waterway access to Santa Clara County by way of the Alviso Slough and the Lower Guadalupe River.
- d) Improve the channel conveyance capacity immediately downstream of the Gold Street Bridge to convey, at a minimum, the in-channel flow volume anticipated to flow under the bridge during a 1 percent flood.
- e) Accomplish the Alviso Slough Restoration Project goals by utilizing a design that recognizes and integrates with current and future projects.
- f) Quickly establish a mutual tidal connection between Pond A8 and the Alviso slough for the purpose of increasing salinity levels, tidal flow velocity, and dimensions in the upper slough.
- g) Work with the South Bay Salt Pond Restoration effort to provide tidal connection between Pond A8 and the Guadalupe River during Phase I of the program.
- h) Strongly encourage the District to utilize Clean, Safe Creeks funds for the purpose of increasing salinity levels, tidal flow velocity, and dimensions between Pond A8 and the Alviso Slough.
- i) Increase flood control by improving the management of the pump operations along the Guadalupe River.
- j) Create an aesthetically pleasing project that we can all be proud of.



## Appendix D - continued

- k) Provide trail extensions, trail improvements, and walkways to enjoy the nature.
- l) Restore the salt water flow in the Lower Guadalupe River.

### 5. Shared (Common) Collaborative Vision

- a) Remove 7 acres of vegetation and root mass to a depth of 4 feet between the Gold Street Bridge and County Marina. (Attachment 1)
- b) Restore the slough's open water channel width to prior to 1983 conditions. (Photos of the slough from 1982 are shown in Attachments 2 and 3.)
- c) Improve navigable access so the community can expand on boating and other recreational opportunities.
- d) Restore historic public access and aesthetics for the Alviso community.
- e) Maintain 1 percent flood protection in Alviso Slough.
- f) Reduce mosquito nuisance.
- g) Expand open water habitat and inundated mudflat habitat of the slough.
- h) Promote integration with the Salt Pond Restoration Program to bring saltwater connections to the Lower Guadalupe River.
- i) Foster increased natural wildlife, wildlife habitat and fisheries in the region by improving the environmental quality of the river.
- j) Enhance recreational opportunities and waterway access to Santa Clara County by way of the Alviso Slough and the Lower Guadalupe River.
- k) Improve the channel conveyance system capacity immediately downstream of the Gold Street Bridge to convey, at a minimum, the in-channel volume of water anticipated to flow under the bridge during a 1 percent flood.
- l) Develop a multi-objective project that utilizes a design that recognizes and integrates with current and future projects.
- m) Encourage the muted tidal connection between Pond A-8 and the Alviso Slough for the purpose of increasing the tidal prism and water velocities in the slough as a potential Phase I of the South Bay Salt Pond Restoration Project.
- n) Ensure pump management does not compromise levee integrity.
- o) Create an aesthetically pleasing project that we can all be proud of.
- p) Provides trail extensions, trail improvements, and walkways that allow community members and visitors to enjoy the nature.
- q) Provide tidal flood protection for the Alviso community.

# Appendix D - continued

## ALVISO AND LOWER GUADALUPE COLLABORATIVE PRINCIPLES

These Collaborative Principles dated December 6, 2004, are accepted by and between members of the Alviso Water Task Force and the District.

- A. The Alviso and Lower Guadalupe Collaborative (Collaborative) was formed to collectively work toward effective flood protection, habitat enhancement and restoration, and recreation in the Alviso area. The Collaborative participants include District staff and the Alviso Water Task Force, which consists of Alviso residents, interested parties, and legislators.
- B. The members of the Collaborative understand that there are a multitude of projects such as the Lower Guadalupe Flood Protection Project and the Alviso Slough Restoration Project. These Collaborative Principles describe how the Collaborative will work together to successfully achieve Alviso project goals.
- C. The Collaborative understands that it is necessary to work together to ensure that identified goals will be completed within the estimated budget and schedule.
- D. This document is not a legally binding document but is signed in good faith.

In view of the above, and assuming that the District Board of Directors will continue to provide funding and support for Alviso projects, the parties agree as follows:

### SECTION 1: ALVISO AND LOWER GUADALUPE COLLABORATIVE

#### 1. Collaborative Members' Responsibilities

- a. Collaborative members shall actively support the collaborative vision defined in this Alviso and Lower Guadalupe Collaborative Document.
- b. Collaborative members shall keep their member organizations apprised on the progress and issues of the Collaborative.
- c. Any member wishing to terminate their participation in the Collaborative shall provide notice to the Collaborative through the Alviso Water Task Force. Written notification is preferred.
- d. Collaborative members are responsible for maintaining knowledge of the progress and issues identified and providing timely comments.
- e. Collaborative members are responsible for raising issues of concern and helping to collaboratively resolve the issue.
- f. Any member of the Collaborative can request third party facilitation.

# Appendix D - continued

## 2. Meetings

- a. The Collaborative will meet monthly, on the second Tuesday of each month, unless a change in the meeting date is mutually agreed upon. All Collaborative meetings are open to the public.
- b. The monthly meetings will continue to be attended by senior level District management.
- c. Collaborative members shall actively participate in the Collaborative meetings by articulating their concerns or support of issues.
- d. The District will provide a facilitator that will summarize the meeting, record and finalize the meeting notes and ensure that it is posted on the Alviso and Lower Guadalupe web site for review and concurrence at the next meeting.
- e. The facilitator will also be responsible for assisting with the drafting of the monthly meeting agenda which will be mutually agreed upon by members of the Collaborative.

## 3. Incorporation of Additional Participants

- a. Additional participants may join the Collaborative effort, as agreed upon by the members of the Collaborative.
- b. New participants are expected to educate themselves to support the goals, objectives and principles of the Collaborative.

## 4. Communication and Outreach with the Community

The Collaborative will assist in the development of the outreach plans related to Alviso projects for the community.

## 5. Project Planning and Design

The Collaborative shall provide input to the design and development of Alviso project plans.

## 6. Project Construction

Collaborative members acknowledge that there will be disruption and inconveniences during the construction of Alviso projects that may include, but is not limited to: noise; traffic congestion; dust; and temporary aesthetic impacts.

## 7. Document Availability

The Collaborative will endeavor to make documents available on the Alviso and Lower Guadalupe Collaborative website or District website upon request.

# Appendix D - continued

## 8. Issue Resolution

- a. Issues between the Collaborative will be arbitrated between the participating parties with the assistance of a facilitator who is independent but familiar with the program.
- b. The Chair of the Alviso Water Task Force will act as the designated contact and spokesperson for the Alviso Water Task Force. If there are concerns or questions that arise, the Chair of the Alviso Water Task Force will raise them to the designated District senior manager (Collaborative Manager). The Collaborative Manager will respond to issues of concern within two business days.
- c. Issues not resolved within the Collaborative may be escalated to the Board of Directors after notification to all involved parties.

## SECTION 2: ALVISO WATER TASK FORCE

### 1. Alviso Water Task Force Members Responsibilities

- a. The Chair of the Alviso Water Task Force will act as the designated contact and spokesperson for the Alviso Water Task Force.
- b. The Alviso Water Task Force will continue to maintain a membership to participate in the Collaborative and to support the goals of the Collaborative.
- c. The Alviso Water Task Force will maintain a listing of Alviso Water Task Force members and provide a copy to the District upon request.

### 2. Meetings

The Alviso Water Task Force will hold internal community meetings monthly or as often as necessary. The Task Force will be responsible for the planning of their internal meetings. The monthly Task Force meetings will be to review the proposed agenda of the Collaborative and discuss issues.

### 3. Outreach to the Community

- a. The Chair of the Alviso Water Task Force will keep the District abreast of issues and concerns in the Alviso community.
- b. The Alviso Water Task Force will continue to reach out to the community to encourage community members' participation in the Collaborative and other events held by the Collaborative.
- c. The Alviso Water Task Force will solicit and compile comments, concerns, and issues related to the development of the Projects from active and non-active members.

# Appendix D - continued

## 4. Project Planning and Design

- a. Provide timely response and assist with solutions to issues during planning, design, construction, and maintenance.
- b. The Alviso Water Task Force members will provide relevant records, data, information and documents requested by the District for the planning, design, construction, operation, and maintenance of projects.

## 5. Project Construction

The Alviso Water Task Force will provide a single point of contact to inform its members of construction plans and progress.

## SECTION 3: SANTA CLARA VALLEY WATER DISTRICT

### 1. District Responsibilities

- a. The District will aggressively seek funding to complete projects.
- b. A senior manager will be designated the Collaborative Manager to manage the collaborative process and resolve issues of concern.

### 2. Meetings

- a. The District will provide meeting notification flyers to the Collaborative, sent by mail approximately two weeks prior to the meeting.
- b. The District will arrange for the meeting location of the Collaborative.
- c. The District will prepare initial draft meeting notes for Collaborative meetings.

### 3. Communication and Outreach

- a. The Collaborative Manager will keep the Collaborative abreast of items pertaining to Alviso that will be submitted to the District Board of Directors for discussion or action.
- b. The District shall provide a two week minimum/three week maximum prior notification of planned construction activities, to the Alviso Water Task Force and community, with an exception to be made for emergency situations where there will be a two business day notification.
- c. The District will provide, by mail, project notification flyers to the Alviso community prior to construction.
- d. The District will ensure that the Alviso Water Task Force Chair and facilitator are informed of actions and activities that may affect the community and/or the Collaborative.

## Appendix D - continued

- e. The District will maintain the Alviso and Lower Guadalupe Collaborative web site currently located at [http://www.valleywater.org/Water/Watersheds\\_-\\_streams\\_and\\_floods/Watershed\\_info\\_&\\_projects/Guadalupe/\\_Alviso\\_enhancement/index.shtm](http://www.valleywater.org/Water/Watersheds_-_streams_and_floods/Watershed_info_&_projects/Guadalupe/_Alviso_enhancement/index.shtm).

#### 4. **Project Planning and Design**

- a. The District shall take the lead on conducting the planning and design of the Projects.
- b. The District shall provide the overall project management of each Project through the planning, design and construction and monitoring phases of each Project.
- c. District will keep the Collaborative members informed of the progress of all projects and provide all reasonable information requested by Collaborative members.

#### 5. **Project Construction**

- a. The District will minimize the disruption to community and property owners as addressed in the California Environmental Quality Act (CEQA) documents.
- b. The District will provide the overall Alviso project management throughout the planning, design and construction phases.

#### 6. **Records Availability**

The District shall provide Alviso project records for viewing at the District.

## Appendix E

### Santa Clara Valley Water District Outdoor Education Summary, 2000—Present

#### Santa Clara Valley Water District Outdoor Education Summary, 2007--present

Date	Schools	City	Grade	# of classes	CCOC	Morley	Alamitos	CHR
9/12/07	Noble	San Jose	3	1			20	
10/5/07	John Muir Middle	San Jose	6-8	1			11	
10/16/07	Luigi Aprea	Gilroy	5	2			68	
10/17/07	Casa Di Mir	Campbell	3	2			20	
10/18/07	Luigi Aprea	Gilroy	5	2			52	
10/22/07	Antonio del Buono	Gilroy	3	2				40
10/23/07	Antonio del Buono	Gilroy	3	2				40
10/24/07	Antonio del Buono	Gilroy	3	2				40
11/7/07	Fr. American	Sunnyvale	4	1			21	
3/26/08	Argonaut	Saratoga	5	1	28			
5/6/08	St. Joseph	Cupertino	3	1		32		
5/15/08	Baldwin	San Jose	4	1			38	
5/16/08	Baldwin	San Jose	4	1			38	
5/20/08	Evergreen	San Jose	3	3			60	
5/21/08	Evergreen	San Jose	3	2			50	
		<b>Totals</b>		<b>24</b>	<b>28</b>	<b>32</b>	<b>378</b>	<b>120</b>
9/26/08	Lucha	San Jose	5	1		30		
10/3/08	McEntee	San Jose	5	2		60		
10/10/08	McEntee	San Jose	5	2		60		
11/12/08	San Jose City College	San Jose	college	1			20	
2/19/09	Horace Mann	San Jose	5	2	62			
2/20/09	Horace Mann	San Jose	5	2	62			
3/20/09	Slonaker	San Jose	5	2		70		
4/2/09	Luigi Aprea	Gilroy	5	2			70	
4/3/09	Luigi Aprea	Gilroy	5	2			50	
5/1/09	Rogers	San Jose	5	2		60		
5/15/09	Painter	San Jose	5	2		68		
5/19/09	Evergreen	San Jose	3	3			60	
5/20/09	St. Joseph	Cupertino	3	1		32		
5/21/09	Evergreen	San Jose	3	2			40	
6/5/09	Cureton	San Jose	5	2		60		
6/25/09	CDM	San Jose	6	1			12	
		<b>Totals</b>		<b>29</b>	<b>124</b>	<b>440</b>	<b>252</b>	<b>0</b>
10/12/09	Easterbrook Discovery	San Jose	5	1			35	
11/9/09	Easterbrook Discovery	San Jose	5	1			35	
3/1/10	Miller Middle	San Jose	6-8	1			12	
3/10/10	Luigi Aprea	Gilroy	5	2			68	
3/17/10	Luigi Aprea	Gilroy	5	2			68	
3/17/10	San Jose State	San Jose	college	1	16			
4/14/10	Alum Rock	San Jose	6	1		9		

## Appendix E - continued

### Santa Clara Valley Water District Outdoor Education Summary, 2007--present

Date	Schools	City	Grade	# of classes	CCOC	Morley	Alamitos	CHR
4/22/10	San Jose State	San Jose	college	1	20			
4/29	Sierra School	Santa Clara	4 &5	1	15			
5/10	St. Joseph	Cupertino	3	1		32		
5/20/10	San Jose Unified	San Jose	6-8	1		9		
5/21/10	Rachel Carson	San Jose	3	3			72	
5/26/10	San Jose Unified	San Jose	6-8	1		9		
6/7/10	Work2Future	San Jose	High Sch	2			44	
		<b>Totals</b>		<b>19</b>	<b>51</b>	<b>59</b>	<b>334</b>	<b>0</b>

**CCOC**=Coyote Creek Outdoor Classroom, 791 Williams Street, San Jose...This property is owned by the water district. Presentations began in the fall of 2002.

This two-hour tour includes a visit to a flood plain, wells and creek access. Lessons include water quality testing, stream profiling, causes of flooding, groundwater, weather and watershed stewardship.

**Morley**=Morley Park Outdoor Classroom, 615 Campbell Technology Parkway, Campbell...The park is owned by the city of Campbell. The water district owns and operates the percolation ponds adjacent to the park. Presentations began in the fall of 2003.

This two-hour tour includes a percolation pond, public art display, wetlands and upland habitats. Lessons include watershed, groundwater, urban runoff, wetlands, weather, water conservation, pollution prevention and water quality testing.

**Alamitos**=Alamitos Groundwater Recharge Facility, 5750 Almaden Expressway, San Jose...This outdoor facility is owned and operated by the water district. Presentations began in the late 1980s.

This two-hour tour includes a percolation pond, gravel dam, weather station, drop structure and spillway, urban runoff display and nature labyrinth. Lessons include the water cycle, purposes of dams and reservoirs, watershed stewardship, pollution prevention and water conservation.

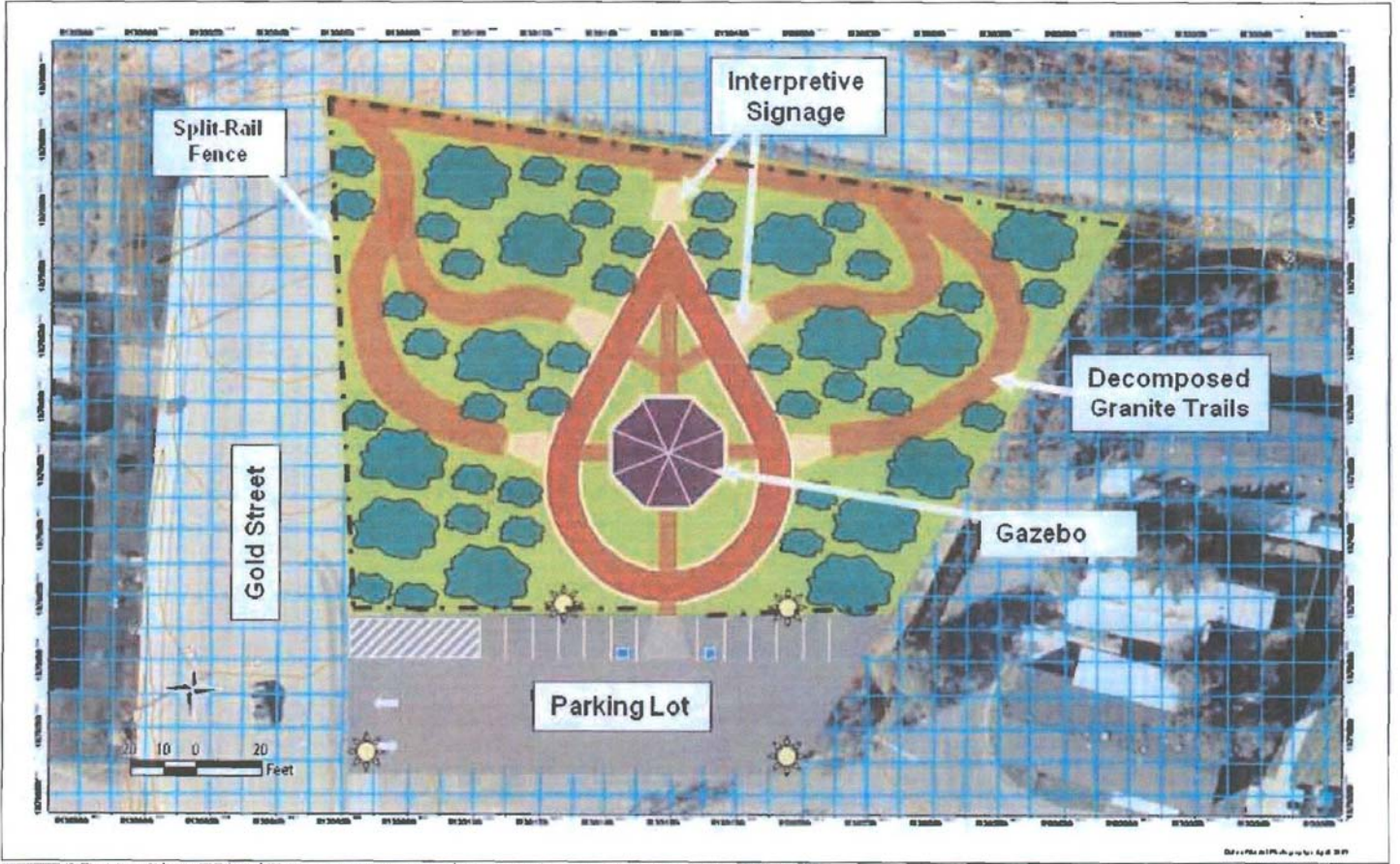
**CHR**=Christmas Hill Park, 7049 Miller Avenue, Gilroy... The park is owned by the city of Gilroy. Presentations began in May, 2006.

This two-hour tour includes a visit to Christmas Hill Park and creek access. Lessons include weather, watershed stewardship, water quality testing, water conservation, pollution prevention and stream profiling.



# Appendix F

## Proposed Gold Street Education Center Design



## Appendix G

Expenses reported by Richard Santos Relating to Alviso and Paid by the SCVWD  
2001–2009

MEETING DATE	MEETING TYPE	PER DIEM PAID	MILAGE PAID	MISC.	NOTES
10/11/01	PACT		\$0.35		PACT Committee Meeting Alviso
11/8/01	PACT	\$176.40	\$0.35		
12/13/01	PACT		\$6.90		PACT Organization Meeting
1/10/02	PACT Meeting Alviso		\$0.37		
1/17/02	PACT Meeting Alviso		\$0.37		
2/20/02	PACT Meeting Alviso		\$0.37		
2/26/02	Guadalupe Meeting		\$0.37		Held at Alviso Community Center
4/2/02	PACT Community Meeting		\$4.38	\$20.00	Meal
4/9/02	PACT				Alviso Church Community PACT Meeting
4/11/02	Guadalupe Project Meeting		\$0.37		Held at Alviso Yacht Club
4/17/02	PACT Meeting		\$0.37		Held at Catholic Church Alviso
5/21/02	PACT Meeting		\$0.37		Held at Catholic Church Alviso
5/29/02	PACT Meeting		\$0.37		Held at Catholic Church Alviso
6/27/02	PACT Meeting Alviso		\$0.37		
7/11/02	PACT Meeting Alviso		\$0.37		
7/25/02	PACT Meeting		\$0.37		Held at Catholic Church Alviso
8/15/02	PACT Meeting	\$185.22	\$0.37		Held at Catholic Church Alviso
9/17/02	PACT Meeting		\$0.37		Held at Catholic Church Alviso
9/19/02	PACT Meeting		\$0.37		Held at Catholic Church Alviso
10/10/02	SBYC Meeting		\$0.37		
10/17/02	PACT Meeting		\$0.37		

## Appendix G – continued

MEETING DATE	MEETING TYPE	PER DIEM PAID	MILAGE PAID	MISC.	NOTES
10/18/02	Community Meeting		\$0.37		Guadalupe - Alviso
10/23/02			\$0.37		Alviso Marina and Guadalupe River Tour
10/30/02	PACT Meeting		\$0.37		Meeting on Guadalupe River Issue
11/6/02		\$185.22	\$0.37		Meeting with labor council and Bob Gross over lower Guadalupe
				\$54.00	Lunch for above
11/11/02	PACT Meeting		\$0.37		Community Meeting in Alviso
11/13/02	Alviso Community Meeting	\$185.22	\$0.37		Held at Youth Center
11/21/02	PACT Meeting		\$0.37		Held at Catholic Church Alviso
12/3/02	PACT Meeting		\$0.37		
1/8/03	PACT Meeting Alviso	\$194.48	\$5.48		Luncheon meeting and tour w/PACT Supervisor and Citizens in Alviso
1/16/03	PACT Meeting Alviso		\$0.36		
1/18/03	SBYC Annual Meeting		\$0.36		Meeting on Guadalupe issues - Alviso
				\$40.00	Dinner for above.
1/28/03	Alviso Marina		\$0.36		Held at Alviso Community Center
2/3/03	PACT Meeting	\$194.48	\$0.36		Lunch meeting with PACT member and Rep (Re: Guad/Marina Project)
				\$38.45	Lunch for above
2/6/03		\$194.48			Alviso Community Educational Meeting
2/15/03			\$0.36		Lunch meeting with residents and retired director Bob Gross re Guadalupe project
				\$52.07	Lunch for above
2/20/03	PACT Meetng		\$0.36		Held at Catholic Church Alviso
				\$20.50	Lunch for above
3/7/03		\$194.48	\$0.36		Meeting with district staff and Alviso residents on Guad/cannery/marina issues

## Appendix G – continued

MEETING DATE	MEETING TYPE	PER DIEM PAID	MILAGE PAID	MISC.	NOTES
3/13/03	SBYC		\$0.36		Guadalupe River Project Presentation to SBYC- Alviso
3/14/03		\$194.48	\$0.36		Community issues discussed with Father Steven Brown, Alviso
4/2/03		\$194.48	\$0.36		Meeting with Director Sanchez, staff, and Alviso Residents
				\$20.00	Refreshments for above
4/2/03			\$0.36		Lunch with district staff - Alviso
				\$49.36	Lunch for above
4/24/03	PACT Meeting		\$0.36		Held at Catholic Church Alviso
5/6/03	PACT Meeting Alviso				
5/7/03					Meeting w/Father Steven Brown for PACT Community Issues - Alviso
5/15/03	PACT Meeting Alviso				
6/19/03	PACT Meeting Alviso	\$194.48	\$0.36		
7/7/03		\$194.48	\$0.36		Lunch meeting with PACT Supervisor and Alviso activist re Guadalupe River Project
				\$44.94	Lunch for above
7/10/03			\$9.36		Meeting w/PACT CEO Matt Hammer and staff for Guadalupe Alviso River Project
7/10/03	SBYC Meeting Alviso		\$0.36		
7/16/03			\$0.36		Meeting with construction supervisor on Guadalupe River Project
7/17/03	PACT Meeting	\$194.48	\$0.36		Held at Catholic Church Alviso
7/18/03		\$194.48	\$0.36		Meeting with Bruce Campbell for Guadalupe River Project Inspection Alviso
7/28/03	SBYC		\$0.36		

## Appendix G – continued

MEETING DATE	MEETING TYPE	PER DIEM PAID	MILAGE PAID	MISC.	NOTES
8/7/03	SBYC		\$0.36		
8/11/03		\$194.48	\$0.36		Lunch w/PACT CEO re Guadalupe River Project-Alviso
				\$35.25	Lunch for above
8/21/03	PACT Meeting		\$0.36		Guest speaker for PACT Community Workshop - Alviso Library
8/28/03	Alviso Community Meeting		\$0.36		Held at Alviso Library
9/11/03	SBYC Meeting		\$0.36		
9/18/03	PACT Meeting		\$0.36		Held at Catholic Church Alviso
9/20/03	SBYC 100th Anniversary		\$0.36		Held at Alviso Marina
10/9/03	PACT Meeting Alviso		\$0.36		Attended with CEO Stan Williams
11/12/03	Alviso Community Meeting	\$194.48	\$0.36		Alviso Community Meeting for Guadalupe Issues
11/13/03	SBYC Meeting		\$0.36		
12/1/03		\$194.48	\$0.36		Lunch Meeting w/district staff and South Bay Labor Council re Guad River issues
12/2/03	PACT Meeting		\$0.36		Re: Guad River issues held at Catholic Church Alviso
12/3/03	Alviso Community Meeting		\$0.36		Held at Alviso Library
12/18/03	PACT Community Meeting		\$0.36		Re: Guad River issues held at Catholic Church Alviso
12/23/03			\$12.96		Meeting w/Dist staff for lower Guad Issues held at District HQ
1/8/04	AWTF		\$0.36		
1/10/04		\$204.20	\$0.38		Mtg- w/Alviso Water Committee Members re Guadalupe River Issues - Alviso
1/12/04	AWC	\$204.20	\$0.38		

## Appendix G – continued

MEETING DATE	MEETING TYPE	PER DIEM PAID	MILAGE PAID	MISC.	NOTES
1/15/04	PACT Meeting Alviso				
1/18/04	AWC		\$0.38		
1/30/04			\$0.38		Mtg w/Alviso Task Force chair, district staff, - tour Guad River Fence Project- Alviso
2/5/04	AWTF	\$204.20	\$0.38		
2/12/04	PACT Meeting Alviso	\$204.20			
2/12/04	SBYC Meeting Alviso		\$0.38		
2/19/04	AWTF		\$0.38		
3/3/04	PACT Meeting Alviso	\$204.20	\$0.38		PACT Meeting with Councilman Chuck Reed and planning director Steve Haase
3/11/04	PACT Meeting Alviso		\$0.38		
				\$19.22	Dinner for above.
3/12/04	AWC		\$0.38		Meeting with AWC chairman George Trevino
3/16/04	ATF Meeting		\$0.38		
3/30/04	PACT Meeting Alviso		\$0.38		
4/8/04	PACT Meeting Alviso		\$0.38		
4/13/04	AWTF Meeting		\$0.38		
4/21/04	PACT Meeting Alviso		\$0.38		PACT Meeting Alviso with Councilman Dave Cortese
4/22/04	AWTF Meeting		\$0.38		
5/4/04	PACT Meeting				
5/10/04		\$204.20	\$0.38		Tour and lunch with Bob Gross and others re: Alviso environmental crisis
				\$40.00	Lunch for above
5/14/04	AWTF		\$0.38		Lunch mtg with AWTF chair, members, and district staff

## Appendix G – continued

MEETING DATE	MEETING TYPE	PER DIEM PAID	MILAGE PAID	MISC.	NOTES
5/17/04	AWTF	\$204.20	\$0.38		
5/20/04	PACT Meeting Alviso		\$0.38		With councilwoman Cindy Chavez
5/24/04	PACT Meeting Alviso		\$0.38		With councilwoman Judy Circo
6/8/04	AWTF		\$0.38		
6/16/04	ATF Meeting		\$0.38		
6/16/04	PACT Meeting Alviso		\$0.38		
6/17/04	AWTF Meeting		\$0.38		
6/28/04	PACT Meeting		\$0.38		Land use preperation with Councilman Chuck Reed
6/29/04	PACT Meeting		\$0.38		Held at Alviso Catholic Church
6/30/04	PACT Meeting		\$0.38		With Councilman Chuck Reed
7/20/04	AWTF Meeting		\$0.38		
7/21/04	AWTF	\$204.20	\$0.38		Meeting with AWTF members and district staff at Alviso Guadalupe site
8/10/04	AWTF	\$204.20	\$0.38		
8/25/04			\$0.38		Alviso neighborhood community meeting at Alviso Youth Center
8/31/04	ATF Meeting		\$0.38		
9/9/04	PACT Meeting Alviso		\$0.38		
9/14/04	AWTF		\$0.38		
9/15/04	PACT Meeting Alviso		\$7.50		
9/16/04	Alviso PACT Meeting		\$0.38		
9/17/04	ATF Meeting		\$0.38		
9/20/04	AWTF		\$0.38		
10/5/04	AWTF		\$0.38		
10/7/04	AWTF		\$0.38		
10/21/04	Alviso Community Meeting		\$0.38		

## Appendix G – continued

MEETING DATE	MEETING TYPE	PER DIEM PAID	MILAGE PAID	MISC.	NOTES
10/26/04	AWTF		\$0.38		
10/28/04	AWTF		\$0.38		
11/19/04	Alviso Community Meeting		\$0.38		
11/30/04	Alviso Community Meeting		\$0.38		
12/6/04	ALGC Meeting	\$204.20	\$0.38		
12/9/04	Alviso PACT Meeting		\$0.38		
12/9/04	SBYC Meeting		\$0.38		
12/13/04	Alviso Community Meeting		\$0.38		
12/14/04	AWTF Meeting		\$0.38		
1/4/05	AWTF	\$214.41			Prediscussion Meeting
1/11/05	AWTF		\$0.41		
1/13/05	Alviso PACT Meeting	\$214.14			
1/18/05	AWTF		\$0.41		Meeting with District Staff re: Mercury Study
1/21/05	Alviso Community Meeting		\$0.41		
2/1/05			\$0.41		Pre-AWTF meeting
2/8/05	AWTF Meeting		\$0.41		
3/10/05	PACT Meeting Alviso	\$214.14	\$0.41		
3/24/05	AWTF		\$0.41		
3/25/05	ATF		\$0.41		
4/5/05			\$0.41		Prepare for AWTF meeting
4/12/05	AWTF		\$0.41		
5/27/05			\$0.41		Alviso Slough River Tour w/District Staff and ATF members
6/9/05	Alviso Community PACT Meeting	\$214.41	\$0.41		
6/14/05	AWTF		\$0.41		
6/22/05	Alviso PACT Meeting	\$214.41	\$0.41		w/Mayor Gonzales Administrative Aide



## Appendix G – continued

MEETING DATE	MEETING TYPE	PER DIEM PAID	MILAGE PAID	MISC.	NOTES
7/5/05	ATF Meeting				
7/14/05	Alviso PACT Meeting		\$0.41		
7/15/05	Alviso Community Meeting		\$0.41		
7/20/05			\$0.41		Meeting with chair and vice chair of AWTF
8/2/05			\$0.41		AWTF plan meeting
8/4/05			\$0.41		Meeting with AWTF member on outdoor classroom -Guadalupe River
8/9/05	ALGC Meeting		\$0.41		
8/12/05	Alviso Community Meeting		\$0.41		
8/17/05			\$0.41		Alviso Community Planning
8/31/05			\$0.41		Lunch meeting w/ATF chairman to prepare for Salt Pond Restoration project
9/23/05	Alviso Community Meeting		\$0.49		
10/3/05	Alviso Community Meeting		\$0.49		
10/4/05			\$0.49		ATF pre-meeting
10/11/05	AWTF Meeting		\$0.49		
10/27/05	PACT Meeting Alviso		\$0.49		
10/28/05	Alviso Community Meeting		\$0.49		
11/8/05	ALGC Meeting		\$0.49		
11/18/05	Alviso Community Meeting		\$0.49		
11/29/05	AWTF		\$0.49		
11/30/05	Alviso Community Meeting		\$0.49		
12/13/05	ALGC Meeting				
1/3/06		\$225.13	\$0.45		Pre - AWTF Meeting
1/10/06	AWTF Meeting		\$0.45		
1/12/06	PACT- Alviso Meeting				
1/19/06	Alviso Community Meeting		\$0.45		

## Appendix G – continued

MEETING DATE	MEETING TYPE	PER DIEM PAID	MILAGE PAID	MISC.	NOTES
2/14/05			\$0.45		Pre-AWTF Meeting
2/25/06	AWTF Meeting		\$0.45		
3/14/06	AWTF Meeting		\$0.45		
3/20/06			\$0.45		Lunch w/Rick Calendar AWTF vice chair
5/2/06	AWTF Internal Meeting		\$0.45		
5/9/06	AWTF Meeting		\$0.45		
5/11/06	Alviso PACT Meeting	\$225.13	\$0.45		w/Councilman Chuck Reed and Chief of Staff Armando Gomez
6/5/06	ATF Internal Meeting		\$0.45		
6/13/06	AWTF Meeting		\$0.45		
6/14/06	AWTF Meeting	\$225.13	\$0.45		Pond A12 Meeting @ Alviso County Marina Park
6/15/06	Alviso PACT Meeting		\$0.45		
8/1/06	AWTF Meeting		\$0.45		
8/8/06	AWTF Meeting		\$0.45		
8/9/06					Lunch meeting w/ATF chair Luredes Rivera re: evaluate U.S. Army Corp of Engineers Meeting
				\$34.83	Lunch for above
8/17/06	Alviso PACT Meeting				
8/25/06	Alviso Community Meeting		\$0.45		
9/12/06	AWTF Meeting		\$0.45		
9/19/06	Alviso Community Meeting		\$0.45		
9/28/06			\$0.45		Alviso Slough Restoration Project Meeting
9/28/06	ALGC Meeting		\$0.45		
10/10/06	AWTF Meeting		\$0.45		
10/27/06	Alviso Community Meeting		\$0.45		

## Appendix G – continued

MEETING DATE	MEETING TYPE	PER DIEM PAID	MILAGE PAID	MISC.	NOTES
11/17/06	ATF Internal Meeting		\$0.45		
11/14/06	ALGC Meeting		\$0.45		
11/17/06	Alviso Community Meeting		\$0.45		
12/13/06	PACT Meeting Alviso		\$0.45		
12/20/06	AWTF Meeting		\$0.45		meet w/U.S. Fish and Wild Life
1/2/07	ATF Internal Meeting	\$236.39	\$0.49		
1/9/07	ATF Meeting		\$0.49		
1/16/07	Alviso Community Meeting	\$236.39	\$0.49		
1/19/07			\$0.49		meeting w/AWTF advisory committee
2/5/07	AWTF Meeting		\$0.49		
2/8/07	Alviso PACT Meeting	\$236.89	\$0.49		and meeting w/Mike Will of San Jose Parks and Rec Commission
3/5/07		\$236.89	\$1.94		Alviso Slough Restoration Project Public Meeting
3/13/07	AWTF		\$0.49		
4/3/07	ATF Internal Meeting	\$236.39	\$0.49		
4/10/07	ALGC Meeting		\$0.49		
4/11/07	Alviso PACT Meeting	\$236.39	\$0.49		
6/12/07	ATF Meeting		\$0.49		
6/19/07	AWTF				
7/2/07		\$236.39	\$0.49		Lunch meeting w/former SCVWD Dir Bob Gross and SJ City Mgr. Les White re: first 3 Water issues
				\$30.00	Lunch for above
7/19/07		\$236.39	\$2.91		Meeting w/SJ Redevelopment agency and AWTF re: N. 1st. Development
8/7/07	AWTF Internal Meeting		\$0.49		

## Appendix G – continued

MEETING DATE	MEETING TYPE	PER DIEM PAID	MILAGE PAID	MISC.	NOTES
8/14/07	AWTF Meeting		\$0.49		
8/15/07		\$236.39	\$0.49		Lunch and video for Dist staff and AWTF chair Charles Taylor
8/15/07			\$0.49		Mtg w/new George Mayne School Principal re:ATF duties
8/3/07	ASRP Meeting		\$0.49		
9/11/07	AWTF Meeting		\$0.49		
9/12/07	Alviso PACT Meeting				
10/5/07		\$236.39	\$0.49		Meeting with SBYC, BCDC and Dist staff re:state lands
10/29/07	Alviso Community Meeting		\$0.49		
1/15/08	AWTF		\$0.51		
2/5/08	AWTF Internal Meeting	\$236.39	\$0.51		
2/12/08	AWTF Internal Meeting	\$236.39	\$0.51		
3/4/08	AWTF Internal Meeting	\$236.39			
3/11/08	ALGC Meeting		\$0.51		
3/18/08	Alviso Community Meeting		\$0.51		
3/25/08	AWTF Internal Meeting		\$0.51		
4/8/08	AWTF Meeting		\$0.51		
4/22/08	AWTF Internal Meeting		\$0.51		
5/13/08	AWTF Meeting		\$0.51		
6/10/08	AWTF Meeting		\$0.51		
6/24/08	AWTF Internal Meeting		\$0.51		
7/8/08	AWTF Meeting		\$0.59		
7/22/08	AWTF Internal Meeting		\$0.59		
8/12/08	AWTF Meeting		\$0.59		
8/26/08	AWTF Meeting		\$0.59		

## Appendix G – continued

MEETING DATE	MEETING TYPE	PER DIEM PAID	MILAGE PAID	MISC.	NOTES
9/23/08	AWTF Internal Meeting				
10/14/08	AWTF		\$0.59		
10/28/08	AWTF Internal Meeting		\$0.59		
11/18/08	AWTF Meeting	\$236.39	\$0.59		
11/25/08	AWTF Internal Meeting		\$0.59		
1/13/09	ATF Meeting		\$0.55		
1/27/09	AWTF Internal Meeting		\$0.55		
2/10/09	AWTF Internal Meeting		\$0.55		
2/24/09	AWTF Internal Meeting		\$0.55		
3/10/09	AWTF Internal Meeting		\$0.55		
4/14/09	AWTF		\$0.55		
5/12/09	AWTF		\$0.55		
6/9/09	AWTF		\$0.55		
6/23/09	AWTF Internal Meeting		\$0.55		
9/8/09	ALGC Meeting		\$0.55		
11/10/09	ALGC Meeting		\$0.55		
11/23/09	Alviso Community Meeting		\$0.55		
12/8/09	AWTF & SCVWD Collab Meeting		\$0.55		

# Appendix H

## South Bay Yacht Club "Slough Info" Bulletin

	<h3>South Bay Yacht Club</h3> <p>"SLOUGH INFO"</p> <p><a href="http://www.southbayyachtclub.org">www.southbayyachtclub.org</a></p>
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### Opening Day Breakfast

Sunday April 11<sup>th</sup>  
9:00 to 11:30 AM



Breakfast  
\$10 per Person

#### Menu

- Pancakes
- Scrambled Eggs
- Hash Brown Potatoes
- Sausage
- Ham
- Muffins
- Orange Juice
- Coffee

Gin Fizzes  
Bloody Marys  
\$3.00



### SBYC Highlights

#### Boating is returning to the Alviso Slough

The South Bay Yacht Club continues to work closely with many agencies to return the Alviso Slough to its historic condition as a destination providing marine recreation. Currently several projects are underway to address the degradation of the channel that has reduced its volume and navigability for boaters.

#### Marina Park Boat Ramp to Open This Summer

The first project to return recreation boating to the South Bay is expected to be completed in early summer. The second phase of the improvements to the Alviso Marina County Park includes the installation of boat ramps. The new facility will allow day boaters to once again access the Southern end of the San Francisco Bay.

#### Pond A8 Connection to the Alviso Slough

A major ground breaking occurred on January 13, 2010. It was the start of the project to connect the A8 salt pond to the Alviso Slough. This is one of the initial actions of the South Bay Salt Pond Restoration Project

which is converting over 15,000 acres of Salt Ponds back into natural habitat. The connection of pond A8 back to the Alviso Slough is expected to increase the salinity discouraging freshwater plant growth which has contributed to sedimentation, reducing the Slough's size and depth.

#### Santa Clara Valley Water District Approves Project to Restore the Alviso Slough

The Alviso Slough Restoration Project was approved by the Board of the SCVWD. The result of the project will be to partially restore the Alviso Slough to its historic condition. This will be done by the removal of 3.7 acres of vegetation to the depth of 8 feet. When completed in 2012 the Alviso Slough will once again have the capacity for recreational boats to utilize the facilities of the South Bay Yacht Club. Members of the Club are looking forward to this day with anticipation as the culmination of years of effort to restore the club to its original intent. We will keep you all posted on developments and encourage you to become involved.



# Appendix H

## 2010 Calendar Meeting Calendar

- May 13**  
7:30 PM Board Meeting
- June 10**  
6:30 PM Pot Luck
- 7:30 PM Board Meeting
- July 08**  
7:30 PM Board Meeting
- September 09**  
6:30 PM Pot Luck
- 7:30 PM Board Meeting
- October 14**  
7:30 PM Board Meeting
- November 11**  
6:30 PM Pot Luck
- 7:30 PM Board Meeting
- December 09**  
7:30 PM Annual Meeting
- ### Event Calendar
- April 11**  
9 AM Opening Day on the Bay  
Gin Fizz Breakfast
- May 08**  
9 AM Work Party
- May 15**  
6 PM SBYC Dinner
- June 12**  
9 AM Work Party
- June 19**  
6 PM Tri Tip Dinner
- July 04**  
6 PM 4th of July BBQ
- July 10**  
9 AM Work Party
- August 14**  
9 AM Work Party
- September 21**  
6 PM Bingo and Burgers
- September 11**  
9 AM Work Party
- September 18**  
6 PM Heritage Dinner
- October 23**  
9 AM Work Party
- 6 PM Chioppino Dinner
- November 13**  
9 AM Work Party
- November 20**  
6 PM Commodores Dinner
- December 02**  
6:30 PM Decoration Work Party
- December 04**  
6 PM Holiday Dinner
- December 05**  
Member Rental
- December 12**  
Rental



### Have Your Next Event at the South Bay Yacht Club

Clubhouse Rentals  
408-262-0349

It is true! You can rent the historic South Bay Yacht Club for your next personal or corporate event. Can you imagine a more rustic location to inspire your party of up to 100 guests?

Clubhouse rental is \$450.00, plus a refundable cleaning deposit of \$100. The required bartender fee is \$50 for up to 50 guests, \$100 for two bartenders for 51 to 100 guests. No Drinks can be brought in from the outside except nonalcoholic punch. A signed usage agreement is required for all uses of the Clubhouse.

Prices are subject to change without notice.

### Join the SBYC

**It's an exciting time as we anticipate improvement in the Aliviso Slough to bring back recreational Boating.**

Membership  
408-262-0349

The Initiation fee is \$150.00 plus prorated membership dues from month of initiation into the SBYC. The initiation fee must accompany the Membership application when accepted by the membership committee.



### Officers – 2010

**Commodore**  
Charles Taylor

**Vice Commodore**  
Craig Parada

**Secretary**  
Mark Bell

**Treasurer**  
Marlene Inderbitzen

**Port Captain**  
Bob Andrade

**Directors**  
Vern Santos  
Roy Hays

**Staff Commodore**  
Russ Robinson



### The South Bay Yacht Club

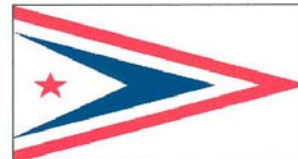
#### Mailing Address

PO Box 100  
Aliviso CA 95002

#### Street Address

1491 Hope Street  
Aliviso CA 95002

Clubhouse 408-263-0100  
Harbor 408-988-1742  
Club Rentals 408-262-0349  
Information 408-807-8393



This report was **PASSED** and **ADOPTED** with a concurrence of at least 12 grand jurors on this 15<sup>th</sup> day of June, 2010.

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Angie M. Cardoza  
Foreperson

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Judy B. Shaw  
Foreperson pro tem