BOARD OF DIRECTORS
SANTA CLARA VALLEY WATER DISTRICT

RESOLUTION NO. 2026-

PROVIDING FOR THE COMPENSATION FOR THE CLERK OF THE BOARD, A BOARD APPOINTED OFFICER OF THE SANTA CLARA VALLEY WATER DISTRICT

BE IT RESOLVED, by the Board of Directors of the Santa Clara Valley Water District (Valley Water) as follows:

1. Prior resolutions of the Board, to the extent that they may conflict with the provisions hereof, are hereby superseded and rescinded. This Resolution shall be effective July 1, 2026.
2. The salaries, wages, compensation, and expenses provided herein shall be in full for all official services performed unless expressly otherwise provided and shall be paid on the basis of the biweekly pay period plan. Compensation shall be payable on or before the seventh (7th) calendar day after conclusion of each biweekly pay period for services rendered during the preceding biweekly pay period. All officials and employees of the Santa Clara Valley Water District shall charge, collect, and pay all fees required by law to be charged, collected, and paid into the proper fund of Valley Water and no officer or employee of Valley Water shall be compensated by fees.
3. The Board of Directors previously approved a salary of $279,177.60 effective April 22, 2025.
4. The total salary of the Clerk of the Board shall be that amount approved by the Board of Directors and formulated in this paragraph. As of July 1, 2026, the Clerk of the Board shall receive a further salary adjustment for a new adjusted annual salary of $______________.
5. In addition to an annual salary as set forth in paragraph 4, Valley Water shall continue to assume payment of the unclassified benefits that are in effect on the effective date of approval of this Resolution.
6. The First Amendment to Employee Agreement Between Santa Clara Valley Water District and Candice Kwok-Smith (Exhibit A), sets forth a formal written amendment to the original Employment Agreement with the updated annual salary. This First Amendment is hereby approved, and the Chair of the Board is authorized to execute this First Amendment.

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by the following vote on July 14, 2026:

AYES: Directors

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

SANTA CLARA VALLEY WATER DISTRICT

____
TONY ESTREMERA
Chair, Board of Directors

ATTEST

____
CHARLOTTE REINTHALER, CMC
Assistant Deputy Clerk II

EXHIBIT A
COVERSHEET

FIRST AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN SANTA CLARA VALLEY WATER DISTRICT AND CANDICE KWOK-SMITH

No. of Pages: 1

Exhibit Attachments: Attachment 1: Valley Water Unclassified Employee Benefits Summary

No. of Pages: 3

FIRST AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN SANTA CLARA VALLEY WATER DISTRICT AND CANDICE KWOK-SMITH

This First Amendment to the Employment Agreement between Santa Clara Valley Water District and Candice Kwok-Smith is entered into retroactively effective July 1, 2026.

RECITALS

A. Whereas, in April 2025, the Santa Clara Valley Water District and Candice Kwok-Smith executed an original Employment Agreement with an effective date of April 22, 2025 (Original Agreement) as Clerk of the Board, with an annual salary in the amount of $279,177.60.

B. Whereas, on May 26, 2026, the Board approved Resolution No. 2026-37, which approved updates to the salary ranges for unclassified classifications by the same percentage applied to classified employees, increasing the minimum annual salary for the Clerk of the Board position to $262,766.40 and the maximum annual salary to $331,448.00.

NOW THEREFORE, in consideration of the mutual obligations of this First Amendment and the Original Agreement, the parties agree as follows:

1. Paragraph 4 of the Original Agreement is modified to read in its entirety as follows:

   4. <u>Compensation</u>

   Effective July 1, 2026, Valley Water agrees to pay Employee an annual base salary of $_________________ per annum payable in installments in accordance with Valley Water's usual payroll schedule. Thereafter and subject to an annual evaluation of Employee's performance and salary, the Board may, by resolution approving an amendment to this Agreement, increase Employee's salary based on merit and/or market factors. Nothing in this provision requires the Board to use a set formula or to provide a merit or other salary increase following the annual evaluation, but the board will act in good faith in determining whether a salary adjustment is warranted. The Board will determine the amount of any salary adjustment no later than October 1 each year and shall have discretion to make any adjustment retroactive to the immediately preceding July 1.

2. "Attachment A" in the Original Agreement is replaced in its entirety by Attachment 1 to this First Amendment.

3. All provisions of the amended Original Agreement, except as modified by the First Amendment, remain in full force and effect, and are reaffirmed.

IN WITNESS WHEREOF, the parties have entered into this First Amendment as of the effective date written above.

By: ________________________________
Candice Kwok-Smith
Clerk of the Board

By: ________________________________
Tony Estremera
Chair, Board of Directors

By: ____________________________
Charlotte Reinthaler, CMC
Assistant Deputy Clerk II

VALLEY WATER

Unclassified Employee Benefits

(Effective 01-01-2026)

BENEFIT	SUMMARY
Vacation	• Newly hired employees receive **224 hours (28 days/year)** of prorated vacation based on the date of hire. The prorated amount is vested immediately for the remainder of the fiscal year and is available for use upon approval of the employee's Appointing Authority. Starting the following fiscal year, vacation shall accrue as set forth below for current employees. • Beginning each fiscal year, current employees receive 224 hours (28 days/year) of vacation, which is vested immediately for the entire fiscal year, and may be accumulated up to 4 times entitlement. • Employees may elect either a cash pay-off for up to 28 days (224 hours) or have all or a portion of the cash value transferred to the Deferred Compensation Plan once each year. Elections to cash out vacation must be made in the calendar year prior to the cash out.
Sick Leave	Sick leave is accrued at the rate of 1 day per month (96 hours per year) with unlimited accumulation. • Upon resignation, with 10 or more years of service with Valley Water, up to 480 hours of accrued sick leave shall be paid at 25% of the equivalent cash value. • Upon retirement (filed for CalPERS retirement), regardless of years of service with Valley Water, sick leave may be paid out as follows: o Sick leave balance *up to* 480 hours is paid out at 50% of the equivalent cash value. Any remaining balance above 480 hours may be converted into additional CalPERS service credit. Sick leave hours above 480 will not be paid out. o Entire accrued sick leave balance may be converted into additional CalPERS service credit. No sick leave hours will be paid out. o Combination of any portion (*up to 480 hours*) of the sick leave balance is paid out at 50% and any remaining balance may be converted into additional CalPERS service credit. Sick leave hours above 480 will not be paid out. • Upon death, all accrued, unused sick leave will be paid at 100% of the cash value. Any other payout of accrued sick leave upon separation of employment must be approved by the Chief Executive Officer. Any such approved payout shall not exceed 480 hours of accrued sick leave and shall be at the rate of 25% of the equivalent cash value.
Sick Leave Conservation	Sick Leave Conservation Program - Employees with a minimum of one (1) year of service who have used no more than twenty-seven (27) sick leave hours during the preceding twelve (12) month period may convert up to twenty-four (24) hours to cash. Elections to cash out sick leave must be made in the calendar year prior to the cash-out.
Executive Leave & Personal Leave	**24 hours of executive leave** and **32 hours of prorated personal leave** provided upon hire. Leave may be converted to cash or credited to the deferred compensation plan at any time during the fiscal year. Automatically paid out if no election is made.
Bereavement Leave	5 days of bereavement leave for obligations arising from the death of a family member as defined in the At-Will Policy for Employees in the Unclassified Service. Additional time may be charged to sick leave for a total leave (4 days of bereavement leave plus sick leave) not to exceed 10 consecutive working days.
Parental Leave	Valley Water provides 4 paid days for qualifying parental leave. Thereafter, employees may use sick leave (in addition to current vacation, comp time, and/or personal leave) for all qualifying parental leave. Employees can use this sick leave for bonding (or for the placement of a child with an employee for adoption or foster care). The duration of such parental or bonding leave shall be subject to Valley Water policy.
Reproductive Loss Leave (RLL)	Valley Water provides 4 paid days for qualifying reproductive loss leave. Thereafter, the employee may use 1 additional day from eligible leave banks, or go unpaid, for a qualifying leave up to 5 days. Employees may take their leave consecutively, or intermittently and must use the leave within 3 months of the loss.
Holidays	14 designated days per calendar year.
CalPERS Retirement for Classic Members *Hired Prior to 3/19/2012 (Tier 1)*	California Public Employees Retirement System (CalPERS) **2.5% at 55** retirement plan with final compensation of highest 12 consecutive months. The current required employee contribution is **8%**. Contributions are pre-tax payroll deductions.
CalPERS Retirement for Classic Members *Hired On or After 3/19/2012* (Tier 2)	California Public Employees Retirement System (CalPERS) **2.0% at 60** retirement plan with final compensation of highest 36 consecutive months. The current required employee contribution is **0%**. Valley Water pays the employee contribution (Employer Paid Member Contributions – EPMC) of 7%.

CalPERS Retirement for New Members ***Hired On or After 1/1/2013*** **(Tier 3/PEPRA)**	California Public Employees Retirement System (CalPERS) **2.0% at 62** retirement plan with final compensation of highest 36 consecutive months. Employees are required to pay 50% of the total normal cost as determined by the annual CalPERS valuation which is subject to change each fiscal year. The current required employee contribution is **7.25%.** Contributions are pre-tax payroll deductions.
Retirement Health Benefits for Employees ***Hired Prior to 12/30/2006***	Medical coverage is provided for retired employees with 10 years of continuous service with Valley Water or a combination of prior public agency service (meaning the State of California or any political subdivision thereof, including any city, county, or special district) with a minimum of 5 consecutive years of Valley Water Service. Medical, Dental, and Vision coverage is provided for retired employees and one eligible dependent with 15 or more years of continuous service with Valley Water or a combination of prior public agency service with a minimum of 5 consecutive years of Valley Water Service. Medical, Dental, and Vision coverage is provided for retired employees plus two (2) or more eligible dependents with 25 or more years of continuous service with Valley Water or a combination of prior public agency service with a minimum of 5 consecutive years of Valley Water Service.
Retirement Health Benefits for Employees ***Hired on or after 12/30/2006 and Prior to 3/1/2007***	Medical coverage is provided for retired employees with 10 years of continuous service with Valley Water or a combination of prior public agency service (meaning the State of California or any political subdivision thereof, including any city, county, or special district) with a minimum of 5 consecutive years of Valley Water Service. Medical, Dental, and Vision coverage is provided for retired employees and one eligible dependent with 15 or more years of continuous service with Valley Water or a combination of prior public agency service with a minimum of 5 consecutive years of Valley Water Service. Medical, Dental, and Vision coverage is provided for retired employees plus two (2) or more eligible dependents with 25 or more years of continuous service with Valley Water or a combination of prior public agency service with a minimum of 5 consecutive years of Valley Water Service. Medical premium cost sharing is required with the same contribution percentage as active employees and based on the medical premium amount applicable to active employees or retirees, whichever is less. Effective April 1, 2024, retirees will pay 0% of the cost of the premium. Valley Water will pay 100% of the cost of the premium.
Retirement Health Benefits for Employees ***Hired On or After 3/1/2007***	Medical coverage is provided for retired employees with 15 years of continuous service with Valley Water or a combination of prior public agency service (meaning the State of California or any political subdivision thereof, including any city, county, or special district) with a minimum of 5 consecutive years of Valley Water Service. Medical coverage is provided for retired employees and one eligible dependent with 20 or more years of continuous service with Valley Water or a combination of prior public agency service with a minimum of 5 consecutive years of Valley Water Service. Medical premium cost sharing is required with the same contribution percentage as active employees and based on the medical premium amount applicable to active employees or retirees, whichever is less. Effective April 1, 2024, retirees will pay 0% of the cost of the premium. Valley Water will pay 100% of the cost of the premium.
Health Insurance	Medical, Dental, Vision Care, and EAP benefits are provided by Valley Water with no monthly premium cost to the employee. Medical, Dental, Vision Care, and EAP benefits are provided to all regular employees and their eligible dependents including domestic partners. Domestic partner coverage is taxable income for federal income tax purposes. Valley Water employees may only receive coverage under one plan; either as single coverage or family coverage and either as the primary subscriber or as a dependent under the plan of a spouse or domestic partner who is a regular Valley Water employee. Eligible dependents will only be covered under one employee's medical plan.
Disability Insurance	Valley Water provides Short Term Disability (STD) equal to 66 2/3% of salary to a maximum weekly benefit of $3,462 with a 14-day waiting period. STD may transition into Long Term Disability (LTD) after 180 days of disability and then provide 66 2/3% of salary to a maximum monthly benefit of $15,000.
Life Insurance	Valley Water provides life insurance benefits equal to employee's annual salary up to a maximum benefit of $100,000 with a five-year phase out in declining increments of $10,000 per year starting with $50,000 coverage upon retirement. The premium attributable to life insurance benefit exceeding $50,000 is considered "imputed income" and must be reported as taxable earnings on the W-2 statement each year, as required by the IRS.

Life Insurance	Optional supplemental life insurance available in amounts equal to 1, 2, 3, or 4 times annual salary to a maximum benefit of $750,000 is available at employee cost. Guaranteed issue amount is $200,000.
Deferred Compensation	Deferred compensation plans are available at the employee's option, with up **to $9,000 in annual matching contributions each calendar** year from Valley Water. The match will be deposited into the 401(a) plan.
Flexible Spending Account (FSA)	Health Care Spending Account – Maximum contribution up to $3,400 for eligible medical, dental, vision and prescription expenses for 2026. The rollover amount from 2026 into 2027 is $680. Dependent Adult or Child Daycare – Maximum contribution of $7,500 per family or $3,750 if you file taxes "Married Filing Separately" per calendar year. Commuter Spending Account – Pre-tax deductions are allowed up to the IRS maximum for any public transportation or to pay for qualified vanpools to commute to work.
Employee Assistance Program (EAP)	Valley Water provides an EAP to employees and their eligible dependents that are staffed by licensed credentialed counselors and provides information, referral, and short-term counseling for personal issues affecting work or personal life.
Legal Insurance	Valley Water offers comprehensive legal benefits through Legal Shield which include (but are not limited to): Bullying Protection, Post-Nuptial/DP Agreements, Gender Identifier Change, Elder Law Matter, Civil/Social Discrimination, and Consumer Credit Services.
Accident Insurance	The Standard offers optional coverage that provides cash benefits if you're injured outside of work. Payments can help cover lost income and unexpected medical expenses. The plan pays for a range of injuries and treatments, including chipped teeth, lacerations, and broken bones, helping reduce the financial impact of accidents.
Critical Illness Insurance	The Standard offers optional coverage that provides a lump-sum cash benefit ($10,000–$30,000) if you're diagnosed with a covered critical illness, such as cancer, stroke, heart attack, Alzheimer's, or Parkinson's. The benefit can help cover medical costs, caregiving needs, and other expenses, offering financial support during treatment and recovery.
Pet Insurance	Valley Water offers optional pet insurance through MetLife. MetLife Pet can help you be prepared for unexpected vet costs associated with injuries and illnesses and can also cover routine pet care. MetLife is an employee cost direct-bill plan (no paycheck deductions).
Wellness	**<u>ValleyWaterWell</u> –** Valley Water Wellness program. We offer company-wide challenges, lunchtime seminars, health cooking demos, health stations, and more!
	<u>Origin Financial Wellness</u> – Valley Water provided financial Wellness tool. Free 1:1 meetings with certified financial planners, free app access with visibility to financial transactions, free basic will preparation, discounted will preparation and more!
	<u>ClassPass</u> – Fitness & wellness at your fingertips. 13 Valley Water provided credits per month, up to 13 credit rollover. Discounted credit purchases.
	<u>Personify Health</u> – Valley Water Wellness Platform. Participate in wellness challenges, competitions, and more. Earn up to $200/annually!
	<u>LifeBalance</u> – Discounts at thousands of businesses nationwide, including health clubs, fitness studios, online retailers, movie theaters, hotels, and more!
Other	**<u>Car Allowance</u>** – Board Appointed Officers (BAO) are eligible for a monthly car allowance as follows: CEO & General Counsel = $600 / Clerk of the Board =$450. Mileage is paid for out-of-county Valley Water business in addition to a monthly car allowance.
	<u>Electronic Devices</u> – Valley Water-owned communication devices are provided, including cell phones, pagers, two-way radios, tablets, and computers. A monthly stipend for smartphones is provided.
	<u>Tuition Assistance Program</u> – Unclassified employees with six (6) or more months of continuous service, up to 100% reimbursement of tuition costs upon satisfactory completion of an approved course to a maximum of $4,000 per fiscal year.
This is a summary of benefits only. Official plan documents/agreements govern how a benefit is determined or administered.	