



Santa Clara Valley Water District Board of Directors Meeting

HQ. Bldg. Boardroom, 5700 Almaden Expressway, San Jose, California
Join Zoom Meeting: <https://valleywater.zoom.us/j/84454515597>

***AMENDED/APPENDED CLOSED SESSION AND REGULAR MEETING AGENDA**

**Tuesday, November 25, 2025
11:00 AM**

***ITEMS AMENDED AND/OR APPENDED SINCE THE ORIGINAL PUBLICATION OF THIS AGENDA
ARE IDENTIFIED BY AN ASTERISK (*) HEREIN**

District Mission: Provide Silicon Valley safe, clean water for a healthy life, environment and economy.

DISTRICT BOARD OF DIRECTORS

Tony Estremera, Chair-District 6
Richard P. Santos, Vice Chair-District 3
John L. Varela-District 1
Shiloh Ballard-District 2
Jim Beall-District 4
Nai Hsueh-District 5
Rebecca Eisenberg-District 7

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body, will be available to the public through the legislative body agenda web page at the same time that the public records are distributed or made available to the legislative body. Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to participate in the legislative body's meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 630-2277.

MELANIE RICHARDSON
Interim Chief Executive
Officer

CANDICE KWOK-SMITH
Clerk, Board of the Directors
(408) 630-2277
www.valleywater.org

Note: The finalized Board Agenda, exception items and supplemental items will be posted prior to the meeting in accordance with the Brown Act.

Santa Clara Valley Water District Board of Directors

***AMENDED/APPEDED AGENDA**

***ITEMS AMENDED AND/OR APPEDED SINCE THE ORIGINAL PUBLICATION OF THIS AGENDA
ARE IDENTIFIED BY AN ASTERISK (*) HEREIN**

Tuesday, November 25, 2025

11:00 AM

**HQ. Bldg. Boardroom, 5700 Almaden
Expressway, San Jose, California**

Join Zoom Meeting:

<https://valleywater.zoom.us/j/84454515597>

*****IMPORTANT NOTICES AND PARTICIPATION INSTRUCTIONS*****

Santa Clara Valley Water District (Valley Water) Board of Directors/Board Committee meetings are held as a “hybrid” meetings, conducted in-person as well as by telecommunication, and is compliant with the provisions of the Ralph M. Brown Act.

To maximize public safety while still maintaining transparency and public access, members of the public have an option to participate by teleconference/video conference or attend in-person. To observe and participate in the meeting by teleconference/video conference, please see the meeting link located at the top of the agenda. If attending in-person, you are required to comply with Ordinance 22-03 - AN ORDINANCE OF THE SANTA CLARA VALLEY WATER DISTRICT SPECIFYING RULES OF DECORUM FOR PARTICIPATION IN BOARD AND COMMITTEE MEETINGS located at <https://s3.us-west-2.amazonaws.com/valleywater.org.if-us-west-2/f2-live/s3fs-public/Ord.pdf>

In accordance with the requirements of Gov. Code Section 54954.3(a), members of the public wishing to address the Board/Committee during public comment or on any item listed on the agenda, may do so by filling out a Speaker Card and submitting it to the Clerk or using the “Raise Hand” tool located in the Zoom meeting application to identify yourself in order to speak, at the time the item is called. Speakers will be acknowledged by the Board/Committee Chair in the order requests are received and granted speaking access to address the Board. Written comments on any item on the agenda may be submitted to clerkoftheboard@valleywater.org or board@valleywater.org.

- Members of the Public may test their connection to Zoom Meetings at: <https://zoom.us/test>
- Members of the Public are encouraged to review our overview on joining Valley Water Board Meetings at: <https://www.youtube.com/watch?v=ToJpYCxXm0>

Valley Water, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access and/or participate in Valley Water Board of Directors/Board Committee meetings to please contact the Clerk of the Board’s office at (408) 630-2277, at least 3 business days before the scheduled meeting to ensure that Valley Water may assist you.

This agenda has been prepared as required by the applicable laws of the State of California, including but not limited to, Government Code Sections 54950 et. seq. and has not been prepared with a view to informing an investment decision in any of Valley Water’s bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in the information in this agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of Valley Water’s bonds, notes or other obligations and investors and potential investors should rely only on information filed by Valley Water on the Municipal Securities Rulemaking Board’s Electronic Municipal Market Access System for municipal securities

disclosures and Valley Water's Investor Relations website, maintained on the World Wide Web at <https://emmsrbo.org/> and <https://www.valleywater.org/how-we-operate/financebudget/investor-relations>, respectively.

Under the Brown Act, members of the public are not required to provide identifying information in order to attend public meetings. Through the link below, the Zoom webinar program requests entry of a name and email address, and Valley Water is unable to modify this requirement. Members of the public not wishing to provide such identifying information are encouraged to enter "Anonymous" or some other reference under name and to enter a fictional email address (e.g., attendee@valleywater.org) in lieu of their actual address. Inputting such values will not impact your ability to access the meeting through Zoom.

Join Zoom Meeting:

<https://valleywater.zoom.us/j/84454515597>

Meeting ID: 844 5451 5597

Join by Phone:

1 (669) 900-9128, 84454515597#

1. CALL TO ORDER/ROLL CALL:

1.1. Roll Call.

2. 11:00 AM - CLOSED SESSION:

Notice to the Public: The Board of Directors meets in Closed Session in accordance with the Ralph M. Brown Act. Following the conclusion of Closed Session discussion, the Board will return for the remaining items on the regular meeting agenda.

2.1. CLOSED SESSION [25-1013](#)
CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Pursuant to Government Code Section 54956.9(d)(4)
Three potential cases.

*2.2. CLOSED SESSION [25-1049](#)
CONFERENCE WITH LEGAL COUNSEL
Pending Litigation Pursuant to Government Code Section 54956.9(d)(1)
Holiday Estates Maintenance Association v. Santa Clara Valley Water
District
Santa Clara County Superior Court Case Number 25CV477398

*2.3. District Counsel Report on Closed Session. (*Previously Listed as Item 2.2)

3. 1:00 PM - TIME CERTAIN:

3.1. Pledge of Allegiance/National Anthem.

3.2. Orders of the Day.
A. *Approximate Discussion Time (Board); and*
B. *Adjustments to the Order of Agenda Items.*

3.3. Time Open for Public Comment on any Item not on the Agenda.

Notice to the public: Members of the public who wish to address the Board/Committee on any item not listed on the agenda may do so by filling out a Speaker Card and submitting it to the Clerk or using the "Raise Hand" tool located in the Zoom meeting application to identify yourself to speak. Speakers will be acknowledged by the Board/Committee Chair in the order requests are received and granted speaking access to address the Board/Committee. Speakers' comments should be limited to three minutes or as set by the Chair. The law does not permit Board/Committee action on, or extended discussion of, any item not on the agenda except under special circumstances. If Board/Committee action is requested, the matter may be placed on a future agenda. All comments that require a response will be referred to staff for a reply in writing. The Board/Committee may take action on any item of business appearing on the posted agenda.

- 3.4. Adopt a Resolution Recognizing the City of Santa Clara for Being the First City to Adopt Model Water Efficient New Development Ordinance Measures. [25-0880](#)

Recommendation: Adopt the resolution EXPRESSING APPRECIATION TO THE CITY OF SANTA CLARA for being the first city to adopt Model Water Efficient New Development Ordinance measures.

Manager: Marta Lugo, 408-630-2237

Attachments: [Attachment 1: Resolution](#)

Est. Staff Time: 5 Minutes.

- *3.5. Conduct a Public Hearing to Consider Adopting a Resolution of Necessity Relating to the Acquisition of Real Property Interests from San Jose Unified School District, Necessary to Complete the Coyote Creek Flood Protection Project, Project No. 26174043, APNs 472-33-007 and 472-33-010, Real Estate File No. 4021-354 and 4021-467 (San Jose, District 2). (Deferred from October 14, 2025) [25-0943](#)

Recommendation:

- A. Open and conduct a Public Hearing to consider adoption of a Resolution of Necessity relating to the acquisition of real property interests from San Jose Unified School District, necessary to complete the Coyote Creek Flood Protection Project, Project No. 26174043;
- B. Close the Public Hearing; and
- C. Adopt the Resolution of Necessity DETERMINING AND DECLARING THE PUBLIC NECESSITY FOR THE ACQUISITION OF CERTAIN REAL PROPERTY OR INTERESTS IN REAL PROPERTY BY EMINENT DOMAIN FOR THE COYOTE CREEK FLOOD PROTECTION PROJECT (PROJECT NO. 26174043) (CODE OF CIVIL PROCEDURE SECTIONS 1245.220,

et seq.), by a two-thirds vote.

Manager: Bhavani Yerrapotu, 408-630-2735

Attachments: [Attachment A: Gov. Code 84308](#)
[Attachment 1: Resolution](#)
[Attachment 2: Notice of Intent](#)
[*Attachment 3: PowerPoint](#)
[*Handout 3.5-A: T. Morrison](#)

Est. Staff Time: 10 Minutes.

- 3.6. Safe, Clean Water and Natural Flood Protection Program Annual Cycle Overview. [25-0972](#)

Recommendation: Receive an overview of the Safe, Clean Water and Natural Flood Protection Program Annual Cycle.

Manager: Luz Penilla, 408-630-2228

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 20 Minutes.

REGULAR AGENDA:

4. CONSENT CALENDAR: (4.1 - *4.7) (Est. Time: 5 Minutes)

Notice to the public: There is no separate discussion of individual consent calendar items. Recommended actions are voted on in one motion. If an item is approved on the consent vote, the specific action recommended by staff is adopted. Items listed in this section of the agenda are considered to be routine by the Board, or delegated to the Board Appointed Officers (BAOs) yet required by law or contract to be Board approved (EL-7.10). Any item may be removed for separate consideration at the request of a Board member. Whenever a resolution is on the consent calendar, a roll call vote will be taken on the entire calendar. Members of the public wishing to address the Board on any consent items may do so by filling out a Speaker Card and submitting it to the Clerk or using the "Raise Hand" tool located in the Zoom meeting application to identify themselves to speak.

- 4.1. Approve and Authorize the Interim Chief Executive Officer to Execute Amendment No. 1 to Joint Use Agreement No. A4201M with the City of Morgan Hill for West Little Llagas Creek Between Monterey Road and Ciolino Avenue (Morgan Hill, District 1). [25-0932](#)

Recommendation: A. Approve and authorize the Interim Chief Executive Officer to execute Amendment No. 1 to Joint Use Agreement No. A4201M, with the City of Morgan Hill for West Little Llagas Creek between Monterey Road and Ciolino Avenue; and

- B. Delegate authority to the Interim Chief Executive Officer to approve future amendments to Joint Use Agreement No. A4201M with the City of Morgan Hill for West Little Llagas Creek between Monterey Road and Ciolino Avenue.

Manager: Lisa Bankosh, 408-630-2618

Attachments: [Attachment A: Gov Code 84308](#)
[Attachment 1: Amendment No. 1](#)
[Attachment 2: Agreement No. A4201M](#)

- 4.2. Approve and Authorize the Interim Chief Executive Officer to Execute the Master Joint Use Agreement No. A5534X with the City of Gilroy (Gilroy, District 1). [25-0935](#)

Recommendation:

- A. Approve and authorize the Chief Executive Officer to execute Master Joint Use Agreement No. A5534X with the City of Gilroy; and
- B. Delegate authority to the Chief Executive Officer to approve future renewals and amendments to Master Joint Use Agreement No. A5534X with the City of Gilroy.

Manager: Lisa Bankosh, 408-630-2618

Attachments: [Attachment A: Gov Code 84308](#)
[Attachment 1: Agreement No. A5534X](#)

- 4.3. Approve the Re-Appointments of Committee Members for Additional Two-Year Terms to the Environmental and Water Resources Committee. [25-0976](#)

Recommendation: Consider and approve the re-appointments of committee members for additional two-year terms to the Environmental and Water Resources Committee.

Manager: Candice Kwok-Smith, 408-630-3193

Attachments: [Attachment 1: SCVWD Resolution No. 17-75](#)

- 4.4. Accept the Work as Complete and Direct the Clerk to File the Notice of Completion of Contract and Acceptance of Work for the Permanente and Hale Creek Concrete Channel Repair Project, Disney Construction, Inc., Contractor, Project No. 62084001, Contract No. C0707 (Mountain View and Los Altos, District 7). [25-0781](#)

Recommendation:

- A. Accept the work on the Permanente and Hale Creeks Concrete Channel Repair Project, Project No. 62084001, Contract No. C0707 as complete; and

- B. Direct the Clerk of the Board to sign the Notice of Completion of Contract and Acceptance of Work and submit for recording to the Santa Clara County Clerk-Recorder

Manager: Bhavani Yerrapotu, 408-630-2735
Emmanuel Aryee, 408-630-3074

Attachments: [Attachment 1: Notice of Completion and Acceptance of Work](#)
[Attachment 2: Construction Contract Acceptance](#)
[Attachment 3: Project Completion Letter](#)
[Attachment 4: Construction Photos](#)
[Attachment 5: Project Delivery Process Chart](#)

- 4.5. Denial of Claim Submitted by First Community Housing and Betty Anne Gardens, L.P. Represented by Strategy Law, LLP. [25-0739](#)

Recommendation: Deny the claim.

Manager: Carlos Orellana, 408-630-2755

Attachments: [Attachment 1: Claim](#)

- *4.6. Accept the CEO Bulletin for the Weeks of November 7 - 20, 2025. [25-1014](#)

Recommendation: Accept the CEO Bulletin.

Manager: Melanie Richardson, 408-630-2017

Attachments: [Attachment 1: 11202025 CEO Bulletin](#)

- *4.7 Approval of Minutes. [25-1003](#)

Recommendation: Approve the minutes.

Manager: Candice Kwok-Smith, 408-630-3193

Attachments: [Attachment 1: 10/14/2025 Meeting Minutes](#)

5. BOARD OF DIRECTORS:

- 5.1. Consider the October 7, 2025, Board Policy and Monitoring Committee Recommendation to Adopt a Proposed Resolution Setting Forth a Revised, Increased Fee Schedule for Administering Santa Clara Valley Water District's Well Permitting and Inspections Program. [25-0951](#)

Recommendation: Consider recommendations resulting from the October 7, 2025, Board Policy and Monitoring Committee meeting to:

- A. Adopt the Resolution ADOPTING A REVISED FEE SCHEDULE FOR ADMINISTERING SANTA CLARA VALLEY WATER DISTRICT'S WELL PERMITTING AND INSPECTIONS PROGRAM (SUPERSEDING RESOLUTION NO. 17-52).
- B. Provide feedback and recommendations to staff as necessary.

Manager: Greg Williams, 408-630-2867

Attachments: [Attachment 1: SCVWD Resolution 17-52](#)
[Attachment 2: Current Well/Permit Fees Comparison](#)
[Attachment 3: Resolution](#)

Est. Staff Time: 5 Minutes.

*5.2. Board Committee Reports. [25-1012](#)

Attachments: [*Handout 5.2-A: 09302025 YC Summary](#)
[*Handout 5.2-B: 10012025 JWRC Summary](#)
[*Handout 5.2-C: 10152025 BAC Summary](#)
[*Handout 5.2-D: 10272025 WSDMC Summary](#)

Est. Staff Time: 5 Minutes.

6. WATER UTILITY ENTERPRISE:

7. WATERSHEDS:

*7.1. Receive Information on the Watershed Capital Program Implementation Strategies, and Provide Feedback to Staff as Needed. [25-0944](#)

- Recommendation:
- A. Receive information presented on the Watershed Capital Program Implementation Strategies, including alternatives; and
 - B. Provide feedback to staff as needed.

Manager: Bhavani Yerrapotu, 408-630-2735

Attachments: [Attachment 1: PowerPoint](#)
[*Supplemental Board Agenda Memo](#)
[*Supplemental Attachment 1: PowerPoint](#)

Est. Staff Time: 10 Minutes.

8. ASSISTANT CHIEF EXECUTIVE OFFICER:

9. EXTERNAL AFFAIRS:

10. CHIEF EXECUTIVE OFFICER:

- 10.1. Approve Amendment No. 5 to the Standard On-Call Consultant Agreement A4382G, CAS File No. 5095 with PMA Consultants, LLC to Provide On-Call Third-Party Internal Auditor Services, Increasing the Not-to-Exceed Fee by \$600,000 for a Revised Total Not-to-Exceed Fee of \$1,300,000. [25-0992](#)

Recommendation: Approve Amendment No. 5 to the Standard On-Call Consultant Agreement A4382G, CAS File No. 5095 with PMA Consultants, LLC to provide On-Call Third-Party Internal Auditor Services for the audit and advisory services to the Internal Audit Program, increasing the Not-to-Exceed Fee by \$600,000 for a revised Total Not-to-Exceed Fee of \$1,300,000.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment A: Gov. Code § 84308](#)
[Attachment 1: Amendment No. 5](#)
[Attachment 2: Amendment No. 4](#)
[Attachment 3: Amendment No. 3](#)
[Attachment 4: Amendment No. 2](#)
[Attachment 5: Amendment No. 1](#)
[Attachment 6: Original Agreement](#)

- *10.2 CEO and Chiefs' Reports. [25-1011](#)

Attachments: [*Handout 10.2-A: Communications Activities](#)
[*Handout 10.2-B: Civic Engagement Update](#)

Est. Staff Time: 5 Minutes.

11. ADMINISTRATION:

12. DISTRICT COUNSEL:

13. BOARD POLICY PLANNING CALENDAR/PROPOSED FUTURE BOARD AGENDA ITEMS:

- *13.1 Review the Fiscal Year 2026 Board Policy Planning Calendar. [25-0899](#)

Recommendation: Review the Fiscal Year 2026 Board Policy Planning Calendar.

Manager: Candice Kwok-Smith, 408-630-3139

Attachments: [*Attachment 1: FY26 Board Calendar](#)

Est. Staff Time: 5 Minutes.

14. BOARD MEMBER REPORTS/ANNOUNCEMENTS:

15. CLERK REVIEW AND CLARIFICATION OF BOARD REQUESTS:

16. ADJOURN:

- 16.1 The Board will convene for the next Regular meeting at 1:00 p.m. on Tuesday, December 9, 2025, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California, and via Zoom teleconference.