



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>

CLOSED SESSION AND REGULAR MEETING AGENDA

**Tuesday, April 22, 2025
11:00 AM**

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
Interim Clerk of the Board
(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.

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Board of Directors
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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=TojJpYCxXm0>

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://emmas.msrb.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

[25-0382](#)

CONFERENCE WITH LEGAL COUNSEL

Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8

Setting Negotiation Parameters for Price and Terms of Payment for Purchase, Sale, or Exchange of Property Interest in APNs:

078-010-001, 078-010-004 (Merced County), 865-10-023, 865-10-022, 898-10-024, 898-10-020, 898-11-003, 898-11-004, 898-11-008, 898-11-016, 898-11-020, 898-11-021, 898-11-022, 898-11-023, 898-11-025, 898-11-030, 898-11-032, 898-13-001, 898-13-002, 898-13-003, 898-13-004 (Santa Clara County)
Agency Negotiators: Melanie Richardson, Rita Chan, Ryan McCarter, Julianne O'Brien
Negotiating Parties: Edmund Jin, Eva Lu

- 2.2. CLOSED SESSION [25-0383](#)
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of Litigation Pursuant to Government Code Section 54956.9(d)
(4)
One Potential Case

- 2.3. CLOSED SESSION [25-0399](#)
PUBLIC EMPLOYMENT
Pursuant to Government Code Section 54957(b)(1)
Title: Clerk of the Board

- 2.4. District Counsel Report on Closed Session.

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. Conduct a Public Hearing to Consider the Santa Clara Valley Water District's Capital Improvement Program Draft Fiscal Years 2026-30 Five-Year Plan. (Continued from April 8, 2025) [24-0781](#)

Recommendation: A. Open and conduct a Public Hearing to receive public

comments and Board feedback regarding the Santa Clara Valley Water District's Draft Fiscal Years 2026-30 Five-Year Plan; and

- B. Continue the Public Hearing to the subsequent Special Budget Hearings currently scheduled for April 23, 2025, and if needed, April 24, 2025, and the Special Regular Meeting scheduled for May 16, 2025, and conclude the Public Hearing at the regularly scheduled Board Meeting on May 27, 2025.

Manager: Luz Penilla, 408-630-2228

Attachments: [Attachment 1: CIP Draft FY 2026-30 Five-Year Plan](#)
[Attachment 2: Notice of Public Hearing](#)

Est. Staff Time: 20 Minutes.

- 3.5. Conduct a Public Hearing on the Final Program Environmental Impact Report and Engineer's Report for the Pipeline Maintenance Program, Adopt a Resolution Certifying the Final Program Environmental Impact Report and Adopting the Mitigation Monitoring and Reporting Program, Findings of Fact, and Statement of Overriding Considerations; Adopt a Resolution Approving the Engineer's Report; and Approve the Pipeline Maintenance Program. [25-0292](#)

- Recommendation:
- A. Open and Conduct a Public Hearing on the Final Program Environmental Impact Report and Engineer's Report for the Pipeline Maintenance Program;
 - B. Close the Public Hearing;
 - C. Consider the Environmental Effects of the Pipeline Maintenance Program as discussed in the Final Program Environmental Impact Report;
 - D. Adopt the Resolution CERTIFYING THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE PIPELINE MAINTENANCE PROGRAM AND ADOPTING CEQA FINDINGS OF FACT, STATEMENT OF OVERRIDING CONSIDERATIONS, AND MITIGATION MONITORING AND REPORTING PROGRAM;
 - E. Adopt the Resolution APPROVING THE ENGINEER'S REPORT FOR THE PIPELINE MAINTENANCE PROGRAM; and
 - F. Approve the Pipeline Maintenance Program

Manager: Emmanuel Aryee, 408-630-3074

Attachments: [Attachment 1: Final EIR Cover Page and Link](#)
 [Attachment 2: Resolution Certifying the Environmental Impact Rep](#)
 [Attachment 3: Engineer's Report](#)
 [Attachment 4: Public Hearing Notice](#)
 [Attachment 5: Resolution to Approve the Engineer's Report](#)
 [Attachment 6: PowerPoint](#)

Est. Staff Time: 20 Minutes.

REGULAR AGENDA:

4. CONSENT CALENDAR: (4.1 - 4.8) (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. Adopt a Resolution Expressing Appreciation to Dr. Sara Cody for her Dedicated Years of Public Service to the People of Santa Clara County and Honoring her Retirement. [25-0372](#)

Recommendation: Adopt the Resolution EXPRESSING APPRECIATION TO DR. SARA CODY for her dedicated years of public service in the County of Santa Clara and honoring her retirement after a distinguished career in public health.

Manager: Marta Lugo, 408-630-2237

Attachments: [Attachment 1: Resolution](#)

- 4.2. Adopt a Resolution Declaring May 17, 2025, as National River Cleanup Day in Santa Clara County. [25-0370](#)

Recommendation: Adopt the Resolution DECLARING MAY 17, 2025, AS NATIONAL RIVER CLEANUP DAY IN SANTA CLARA COUNTY.

Manager: Rachael Gibson, (408) 630-2884

Attachments: [Attachment 1: Resolution](#)

- 4.3. Adopt Plans and Specifications and Authorize Advertisement for Bids [25-0294](#)

for the South Babb Flood Mitigation Project, under the Watersheds Asset Rehabilitation Program, Project No. 62084001, Contract No. CO716 (San Jose, District No. 6).

- Recommendation:
- A. Approve the South Babb Flood Mitigation Project;
 - B. Adopt the Plans and Specifications and Authorize Advertisement for Bids for Construction of the South Babb Flood Mitigation Project per the Notice to Bidders; and
 - C. Authorize the Designated Engineer to issue addenda, as necessary, during the bidding process.

Manager: Bhavani Yerrapotu, 408-630-2735

Attachments: [Attachment 1: Map](#)
[Attachment 2: Notice to Bidders](#)
[Attachment 3: Project Delivery Process Chart](#)
[Attachment 4: Plans](#)
[Attachment 5: Specifications](#)

- 4.4. Adopt Plans and Specifications and Authorize Advertisement for Bids for Construction of the Stevens Creek Evelyn Fish Passage Project, under the Watersheds Asset Rehabilitation Program, Project No. 62084001, Contract No. C0708 (Mountain View, District No. 7). [25-0302](#)

- Recommendation:
- A. Adopt the Plans and Specifications and Authorize Advertisement for Bids for Construction of the Stevens Creek Evelyn Fish Passage Project per the Notice to Bidders; and
 - B. Authorize the Designated Engineer to issue addenda, as necessary, during the bidding process.

Manager: Bhavani Yerrapotu, 408-630-2735

Attachments: [Attachment 1: Map](#)
[Attachment 2: Notice to Bidders](#)
[Attachment 3: Project Delivery Process Chart](#)
[Attachment 4: Plans](#)
[Attachment 5: Specifications](#)

- 4.5. Approve the New Membership Nomination for Appointment for a Two-Year Term to the Agricultural Water Advisory Committee. [25-0324](#)

- Recommendation:
- A. Review and Consider Applicant's Eligibility; and
 - B. Approve New Membership Nomination for Appointment for a Two-Year Term to the Agricultural Water Advisory Committee.

Manager: Candice Kwok-Smith, 408-630-3193
Attachments: [Attachment 1: Long Jr. Application, Redacted](#)
[Attachment 2: SCVWD Resolution 17-75](#)

- 4.6. Approve Agreement No. A5406X for Moffett Park Green Link [25-0339](#)
Bordeaux-Borregas Bridge Project Completion - Google Conveyance
and Santa Clara Valley Water District Acceptance of Santa Clara Valley
Water District Floodwalls - Santa Clara Valley Water District's
Sunnyvale East and Sunnyvale West Channels Flood Protection
Project, Project No. 26074002 (Sunnyvale, District 3).

Recommendation: Approve Agreement No. A5406X for Moffett Park Green Link
Bordeaux-Borregas Bridge Project Completion and Google
Conveyance and Santa Clara Valley Water District
Acceptance of the Santa Clara Valley Water District
Floodwalls - part of Santa Clara Valley Water District's
Sunnyvale East and Sunnyvale West Channels Flood
Protection Project, Project No. 26074002.

Manager: Lisa Bankosh, 408-630-2618
Attachments: [Attachment A: Gov. Code Section 84308](#)
[Attachment 1: Construction Agreement](#)
[Attachment 2: Acceptance Agreement](#)

- 4.7. Adopt Recommended Positions on State Legislation: SB 454 [25-0033](#)
(McNerney) PFAS Mitigation Fund, SB 599 (Caballero) Atmospheric
Rivers Forecast Improvement Program, SB 682 (Allen) Product Bans
Intentionally Added PFAS, SB 753 (Cortese) Regulation of Abandoned
Shopping Carts, and Other Legislation Which May Require Urgent
Consideration for a Position by the Board.

Recommendation: A. Adopt a position of "Support" on: SB 454 (McNerney)
PFAS Mitigation Fund.
B. Adopt a position of "Support" on: SB 599 (Caballero)
Atmospheric Rivers Forecast Improvement Program.
C. Adopt a position of "Support" on: SB 682 (Allen)
Product Bans Intentionally Added PFAS.
D. Adopt a position of "Support" on: SB 753 (Cortese)
Regulation of Abandoned Shopping Carts.

Manager: Joshua Golka, 408-630-4508

- 4.8. Denial of Claim of Monarch Leasing Inc. [25-0319](#)

Recommendation: Deny the claim.

Manager: Carlos Orellana, 408-630-2755

Attachments: [Attachment 1: Claim](#)
 [Attachment 2: Tender of Claim](#)

5. BOARD OF DIRECTORS:

- 5.1. Adopt a Resolution Providing for an Appointment and Compensation of the Clerk of the Board. [25-0387](#)

Recommendation: Adopt the Resolution APPOINTING AND PROVIDING FOR THE COMPENSATION OF THE CLERK OF THE BOARD EFFECTIVE APRIL 22, 2025.

Manager: Patrice McElroy, 408-630-3159
Est. Staff Time: 5 Minutes.

- 5.2. Board Committee Reports.

6. WATER UTILITY ENTERPRISE:

7. WATERSHEDS:

- 7.1. Approve Amendment No. 1 to Agreement No. A4455A with Montrose Environmental Solutions, Inc. (Formerly Horizon Water and Environment, LLC) for Environmental Planning and Permitting Services for the Stream Maintenance Program Renewal, Project No. 00041022, Increasing Not-to-Exceed Fee by \$254,867 for a Revised Total Not-to-Exceed Fee of \$2,392,319 and Extending the Term 18 Months, through November 11, 2027. [25-0322](#)

Recommendation: Approve Amendment No. 1 to Standard Consultant Agreement No. A4455A with Montrose Environmental Solutions, Inc. (formerly Horizon Water and Environment, LLC) for Environmental Planning and Permitting Services for the Stream Maintenance Program Renewal, Project No. 00041022, increasing the not-to-exceed fee by \$254,867 for a revised total not-to-exceed fee of \$2,392,319 and extending the term 18 months, through November 11, 2027.

Manager: Jennifer Codianne, 408-630-3876
Attachments: [Attachment A: Gov. Code Section 84308](#)
[Attachment 1: Amendment No. 1 to A4455A](#)
[Attachment 2: Original Agreement A4455A](#)

Est. Staff Time: 5 Minutes.

- 7.2. Receive Report of Bids, Ratify Addenda, Waive a Minor Irregularity, Approve the Contingency Fund, and Award the Construction Contract to Disney Construction, Inc., for the Permanente and Hale Creeks Concrete Channel Repair, Under the Watershed Asset Rehabilitation [25-0281](#)

Program, Project No. 62084001, Contract No. C0707 (Mountain View and Los Altos, District No. 7).

- Recommendation:
- A. Ratify Addenda No. 1, 2, and 3 to the Contract Documents for the Permanente and Hale Creeks Concrete Channel Repair Project;
 - B. Waive minor irregularity in Disney Construction, Inc.'s bid;
 - C. Award the Construction Contract to Disney Construction, Inc., located in Burlingame, CA, in the sum of \$1,384,450 and
 - D. Approve a contingency sum of 15% in the amount of \$207,667.50 and authorize the Chief Executive Officer or designee to approve individual change orders up to the designated amount.

Manager: Bhavani Yerrapotu, 408-630-2735

Attachments: [Attachment 1: Map](#)
[Attachment 2: Project Delivery Process Chart](#)
[Attachment 3: Addendum No. 1, 2 and 3](#)

Est. Staff Time: 5 Minutes.

- 7.3. Approve an Increase of \$1,168,431.87 to the Construction Contract Contingency Sum for the Upper Llagas Creek Flood Protection Project, Phase 2A, Project No. 26174052, Contract No. C0665 (Morgan Hill, District 1). [25-0361](#)

Recommendation: Approve an increase of \$1,168,431.87 to the construction contract contingency sum, bringing the total contingency sum to \$9,966,351.87 for the Upper Llagas Creek Flood Protection Project, Phase 2A, Project No. 26174052, Contract No. C0665.

Manager: Bhavani Yerrapotu, 408-630-2735

Attachments: [Attachment 1: Location Map](#)
[Attachment 2: Contract Agreement](#)

Est. Staff Time: 5 Minutes.

8. ASSISTANT CHIEF EXECUTIVE OFFICER:

9. EXTERNAL AFFAIRS:

10. CHIEF EXECUTIVE OFFICER:

10.1. CEO and Chiefs' Report.

11. ADMINISTRATION:

12. DISTRICT COUNSEL:

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

13.1. Review the Fiscal Year 2024-2025 Board Policy Planning Calendar.

[25-0348](#)

Recommendation: Review the Fiscal Year 2024-2025 Board Policy Planning Calendar.

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

Attachments: [Attachment 1: FY24-25 Board Calendar](#)

Est. Staff Time: 5 Minutes.

14. BOARD MEMBER REPORTS/ANNOUNCEMENTS:

15. CLERK REVIEW AND CLARIFICATION OF BOARD REQUESTS:

16. ADJOURN:

16.1 Adjourn.

The board will convene at 5:00 p.m. for a Special meeting on April 23, 2025, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California, and via Zoom teleconference.