



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, October 14, 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.

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Santa Clara Valley Water District 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=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

[25-0816](#)

CONFERENCE WITH LEGAL COUNSEL, INITIATION OF LITIGATION

Pursuant to paragraph (4) of subdivision (d) of Section 54956.9

One potential case

2.2. CLOSED SESSION

[25-0817](#)

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6(a)

Agency Designated Representatives: M. Richardson, T. Yoke, P. McElroy,

A. Lee, E. Meeks, J. Carlos Orellana, L. Mason, E. Kreisberg

Employee Organizations: Employees Association, Engineers Society,

Professional Managers Association

Unrepresented Employees: All Valley Water Unclassified Positions

2.3. CLOSED SESSION

[25-0806](#)

CONFERENCE WITH LEGAL COUNSEL, PENDING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Amanda Aguirre, et al. v. Santa Clara Valley Water District

Santa Clara County Superior Court Case No. 23CV415312

*2.4. CLOSED SESSION

[25-0904](#)

CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION

Pursuant to Govt. Code Section 54956.9(d)(1)

- *2.5. CLOSED SESSION [25-0905](#)
CONFERENCE WITH LEGAL COUNSEL, INITIATION OF LITIGATION
Pursuant to Govt. Code Section 54956.9(d)(4)
One potential case

- *2.6. District Counsel Report on Closed Session.
(*Previously Listed as Item 2.4)

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 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). [25-0798](#)

- 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](#)

Est. Staff Time: 10 Minutes.

- 3.5. Conduct a Public Hearing to Consider Adopting a Resolution of Necessity [25-0839](#)
Relating to the Acquisition of Real Property Interests from Robert Clanton,
Mildred Peck, Nadine Ironberg, Lani Ironberg, Keven Peck, Pattie Antalek,
and Wessley Clanton, Necessary to Complete the Coyote Creek Flood
Protection Project, Project No. 26174043, APN 472-12-001, Real Estate
File No. 4021-373 (San Jose, District 6).

Recommendation: A. Open and conduct the Public Hearing to consider
adoption of a Resolution of Necessity relating to the
acquisition of real property interests from Robert Clanton,
Mildred Peck, Nadine Ironberg, Lani Ironberg, Keven
Peck, Pattie Antalek, and Wessley Clanton, 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](#)

Est. Staff Time: 10 Minutes.

- 3.6. Conduct a Public Hearing to Consider Adopting a Resolution of Necessity [25-0840](#)

Relating to the Acquisition of Real Property from an Unknown Owner(s), Necessary to Complete the Coyote Creek Flood Protection Project, Project No. 26174043, Real Estate File No. 4021-527 (San Jose, District 2).

Recommendation: A. Open and conduct the Public Hearing to consider adoption of a Resolution of Necessity relating to the acquisition of real property from an unknown owner(s), 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](#)

Est. Staff Time: 10 Minutes.

REGULAR AGENDA:

4. CONSENT CALENDAR: (4.1 - *4.6) (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 Recognizing October 20, 2025, as Diwali, Acknowledging the Cultural Significance of this Observance to Many Around the World and in Particular the South Asian Diaspora.

[25-0637](#)

Recommendation: Adopt the Resolution RECOGNIZING OCTOBER 20, 2025, AS DIWALI, ACKNOWLEDGING THE CULTURAL SIGNIFICANCE

OF THIS OBSERVANCE TO MANY AROUND THE WORLD
AND IN PARTICULAR THE SOUTH ASIAN DIASPORA.

Manager: Bhavani Yerrapotu, 408-630-2735

Attachments: [Attachment 1: Resolution](#)

- 4.2. Approve Appointments for Two-Year Terms to the Environmental and Water Resources Committee. [25-0836](#)

Recommendation: Consider and approve appointments for 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](#)
[Attachment 2: Peterson Application, Redacted](#)
[Attachment 3: Frazier Application, Redacted](#)
[Attachment 4: Letter to Board of Directors, Frazier](#)

- 4.3. Approve the Board of Directors' Quarterly Expense Report for the Quarter Ending March 31, 2025. [25-0853](#)

Recommendation: A. Review the Board of Directors' Quarterly Expense Report for the quarter ending March 31, 2025; and
B. Approve the Report if the reimbursements comply with Board Policy.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: Quarterly Expense Report](#)

- 4.4. Approve the Continuation of Health Benefits for Formerly Elected Board Members Via Self-Pay Option. [25-0832](#)

Recommendation: Approve the continuation of health benefits for formerly elected Board Members via self-pay option.

Manager: Patrice McElroy, 408-630-3159

- 4.5. Receive the Audit Report of the Water Utility Enterprise Funds for the Fiscal Year Ended June 30, 2024. [25-0828](#)

Recommendation: Receive the audit report of the Water Utility Enterprise funds for the Fiscal Year ended June 30, 2024.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: Audit Report](#)

- *4.6. Accept the CEO Bulletin for the Weeks of September 19 through October [25-0865](#)

9, 2025.

Recommendation: Accept the CEO Bulletin.

Manager: Melanie Richardson, 408-630-2017

Attachments: [*Attachment 1: 10092025 CEO Bulletin](#)

5. BOARD OF DIRECTORS:

- 5.1. Adopt a Resolution Amending the Santa Clara Valley Water District's Conflict of Interest Code. [25-0771](#)

Recommendation: Adopt the Resolution AMENDING THE SANTA CLARA VALLEY WATER DISTRICT CONFLICT OF INTEREST CODE.

Manager: Anna Lee, 408-630-2053
Patrice McElroy, 408-630-3159

Attachments: [Attachment 1: Resolution](#)

Est. Staff Time: 5 Minutes.

- 5.2. Receive an Overview of the Annual Capital Improvement Program Development Process and the Integrated Financial Planning Schedule. [25-0689](#)

Recommendation: A. Receive an overview of the annual Capital Improvement Program development process;
B. Review the integrated financial planning schedule; and
C. Provide feedback as necessary.

Manager: Luz Penilla, 408-630-2228

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 20 Minutes.

- 5.3. Complaint Against a Board Member. [25-0869](#)

Recommendation: Pursuant to GP-6.5.7.1, consider the request of Vice Chair Santos to form an Ethics and Conduct Ad Hoc Committee to timely address a complaint against a Board Member.

Manager: Vice Chairperson Richard Santos

Attachments: [Attachment 1: GP-6](#)

Est. Staff Time: 5 Minutes.

- *5.4. Board Committee Reports. [25-0867](#)

Attachments: [*Handout 5.4-A: 07212025 EWRC, Summary](#)
[*Handout 5.4-B: 08182025 CIP, Summary](#)
[*Handout 5.4-C: 08202025 YC, Summary](#)
[*Handout 5.4-D: 10152025 BAC, Agenda](#)

Est. Staff Time: 5 Minutes.

6. WATER UTILITY ENTERPRISE:

7. WATERSHEDS:

8. ASSISTANT CHIEF EXECUTIVE OFFICER:

- 8.1. Approve Amendment No. 1 to Agreement No. A5019A with Rincon Consultants, Inc., for Environmental Planning and Regulatory Permitting Services for the Anderson Dam Seismic Retrofit Project, Project No. 91864005, Increasing the Not-to-Exceed Fee by \$3,600,000 for a Revised Total Not-to-Exceed Fee of \$5,135,000 and Extending the Agreement Term to December 31, 2028 (Morgan Hill, District 1). [25-0809](#)

Recommendation: Approve Amendment No. 1 to Agreement No. A5019A with Rincon Consultants, Inc., for environmental planning and regulatory permitting services for the Anderson Dam Seismic Retrofit Project, Project No. 91864005, increasing the not-to-exceed fee by \$3,600,000 for a revised total not-to-exceed fee of \$5,135,000, and extending the Agreement term to December 31, 2028.

Manager: Ryan McCarter, 408-630-2983

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

Est. Staff Time: 5 Minutes.

- 8.2. Authorize the Interim Chief Executive Officer to Negotiate and Execute a Non-Competitive Single Source Agreement for a Ninth Part 12D Independent Consultant's Safety Inspection Report of Anderson Dam, from Geosyntec Consultants, Inc., for a Not-to-Exceed Amount of \$825,000, for the Dam Safety Program, Project No. 91081007 (Morgan Hill, District 1). [25-0745](#)

Recommendation: Authorize the Interim Chief Executive Officer to negotiate and execute a non-competitive single source agreement for a Ninth Part 12D Independent Consultant's Safety Inspection Report of Anderson Dam, from Geosyntec Consultants, Inc., for a not-to-exceed amount of \$825,000.

Manager: Ryan McCarter, 408-630-2983

Attachments: [Attachment A: Gov. Code 84308](#)
[Attachment 1: Justification Memo](#)

Est. Staff Time: 5 Minutes.

- 8.3. Receive an Update on the Pacheco Reservoir Expansion Project Close Out, Project No. 91954002 (Santa Clara County, District 1; Merced County). [25-0808](#)

Recommendation: A. Receive an update on the Pacheco Reservoir Expansion Project close out; and
B. Provide input or direction to staff regarding the close-out efforts.

Manager: Ryan McCarter, 408-630-2983

Est. Staff Time: 20 Minutes.

9. EXTERNAL AFFAIRS:

10. CHIEF EXECUTIVE OFFICER:

- *10.1. CEO and Chiefs' Reports. [25-0866](#)

Attachments: [*Handout 10.1-A: OCE, Monthly Update](#)
[*Handout 10.1-B: OGR, Summary](#)

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. [25-0841](#)

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

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

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 *Closed Session and Regular meeting at 11:00 a.m. on Tuesday, October, 28, 2025, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California, and via Zoom teleconference.