Santa Clara Valley Water District
Board of Directors

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, August 25, 2026
11:00 AM

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

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) 630-3193
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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IMPORTANT NOTICES AND PARTICIPATION INSTRUCTIONS

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

To maximize public safety while maintaining transparency and public access, members of the public have the option to participate via teleconference/video conference or attend in person. To participate in the meeting via teleconference/video conference, please refer to 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 that 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 on 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://emma.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 26-0680
CONFERENCE WITH LEGAL COUNSEL, INITIATION OF LITIGATION
Pursuant to Government Code Section 54956.9(d)(4)
One potential case.

2.2. CLOSED SESSION 26-0681
CONFERENCE WITH LEGAL COUNSEL, SIGNIFICANT EXPOSURE TO LITIGATION
Pursuant to Government Code Section 54956.9(d)(2)
Two Cases.

2.3. 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 matters not listed on the agenda may do so by completing a Speaker Card and submitting it to the Clerk, or by using the "Raise Hand" feature within the Zoom meeting application to request recognition. Speakers will be acknowledged by the Board/Committee Chair in the order requests are received and, when recognized, will be granted speaking access to address the Board/Committee.

Public comments shall be limited to three (3) minutes per speaker, or such other time as determined by the Chair. State law does not permit the Board/Committee to take action on, or engage in extended discussion of, any item not appearing on the posted agenda, except as otherwise authorized under applicable law. If Board/Committee action is requested, the matter may be scheduled for consideration at a future meeting.

All public comments requiring a response will be referred to staff for a written reply. 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 Pedro D. Valdez, Maria C. Valdez, and Tomasa S. Valdez, Necessary to Complete the Coyote Creek Flood Protection Project, Project No. 26174043, APN 467-13-007, Real Estate File Nos. 4021-487 and 4021-490 (San Jose, District 2). 26-0626

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 Pedro D. Valdez, Maria C. Valdez, and Tomasa S. Valdez, necessary to complete the Coyote Creek Flood Protection Project, Project No. 26174043;

B. Close the Public Hearing; and

C. Adopt the Resolution 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: 20 Minutes.

REGULAR AGENDA:

4. CONSENT CALENDAR: (4.1 - 4.4) (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 Recommended Positions on Federal Legislation: H.R. 9372 (Subramanyam) - Data Infrastructure Energy Measurement and Standards Act; and Other Legislation that may Require Consideration by the Board. 26-0127

Recommendation: Adopt a Position of "Support and Amend" on H.R. 9372 (Subramanyam) - Data Infrastructure Energy Measurement and Standards Act.

Manager: Marta Lugo, 408-630-2237

4.2. Adopt Recommended Positions on State and Local Ballot Measures: Proposition 1, The Veterans and Affordable Housing Bond Act of 2026; Proposition 43, Limits Voters' Ability to Raise Revenues for Local Government Services; Measure RTM, Connect Bay Area Transit Initiative; and Other Measures Which May Require Urgent Consideration for a Position by the Board. 26-0687

Recommendation:
A. Adopt a position of "Support" on: Proposition 1, The Veterans and Affordable Housing Bond Act of 2026;
B. Adopt a position of "Oppose" on: Proposition 43, Limits Voters' Ability to Raise Revenues for Local Government Services; and
C. Adopt a position of "Support" on: Measure RTM, Connect Bay Area Transit Initiative.

Manager: Marta Lugo, 408-630-2237

4.3. Approve Amendment No. 1 to Agreement No. A4909G with EMC Research, Inc., for On-Call Polling, Survey, and Public Opinion Research Services, PlanetBids File No. VW0259, Increasing the Not-to-Exceed Fee by $190,000 for a Revised Total Not-to-Exceed Fee of $415,000, and Extending the Term Through June 30, 2027. 26-0686

Recommendation: Approve Amendment No. 1 to Agreement No. A4909G with EMC Research, Inc. for on-call polling, survey, and public opinion research services, increasing the not-to-exceed fee by $190,000 for a revised total not-to-exceed fee of $415,000 and extending the term through June 30, 2027.

Manager: Rachael Gibson, 408-630-2884

Attachments: Attachment A: Gov. Code 84308
Attachment 1: Amendment No. 1
Attachment 2: Agreement

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 South County Recycled Water Pipeline Phase 1C Project, Cratus, Inc., Contractor, Project No. 91094009, Contract No. C0723 (City of Gilroy, Unincorporated Santa Clara County, District 1). 26-0629

Recommendation:
A. Accept the work on the South County Recycled Water Pipeline Phase 1C Project, Project No. 91094009, Contract No. C0723 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: 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

5. BOARD OF DIRECTORS:

5.1. Receive the Semi-Annual Lobbyist Report and Annual Registration of Individuals Engaged in Compensated Lobbying Activities for the period January 1, 2026, through June 30, 2026. 26-0622

Recommendation: Receive the Semi-Annual Lobbyist Report and Annual

Registration of Individuals Engaged in Compensated Lobbying Activities for the period January 1, 2026, through June 30, 2026.

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

Attachments: Attachment 1: Lobbyist Report

Est. Staff Time: 5 Minutes.

5.2. Board Committee Reports.

6. WATER UTILITY ENTERPRISE:

7. WATERSHEDS:

7.1. Receive Report of Bids, Ratify Addenda, Approve the Contingency Fund, and Award the Construction Contract to Hanford Applied Restoration & Conservation, for the Berryessa Creek Flood Protection Project, Calaveras Boulevard to Interstate 680, Upper Berryessa Creek Off-Site Mitigation Project, Project No. 26174041, Contract No. C0717 in the Sum of $5,963,750.00 (Milpitas and San Jose, Districts 3 and 6). 26-0608

Recommendation:

A. Ratify Addenda Nos. 1 and 2 to the Contract Documents for the Berryessa Creek Flood Protection Project, Calaveras Boulevard to Interstate 680, Upper Berryessa Creek Off-Site Mitigation Project;
B. Award the Construction Contract to Hanford Applied Restoration & Conservation, located in Petaluma, CA, in the sum of $5,963,750.00; and
C. Approve a contingency sum of $298,100.00 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: Project Map
Attachment 2: Addenda No. 1 and 2
Attachment 3: Project Delivery Process Chart

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 2026 Board Policy Planning Calendar.

14. BOARD MEMBER REPORTS/ANNOUNCEMENTS:

15. CLERK REVIEW AND CLARIFICATION OF BOARD REQUESTS:

16. ADJOURN:

16.1 The Board will convene its next Regular Board meeting at 1:00 p.m. on Tuesday, September 8, 2026, in the Boardroom of the Santa Clara Valley Water District Headquarters Building, 5700 Almaden Expressway, San Jose, California, and via Zoom teleconference.