



## 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>

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

**Tuesday, May 26, 2026**  
**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) 630-3193  
[www.valleywater.org](http://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

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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](mailto:clerkoftheboard@valleywater.org) or [board@valleywater.org](mailto: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://emmas.msrbo.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**

[26-0513](#)

CONFERENCE WITH LEGAL COUNSEL, PENDING LITIGATION

Pursuant to Government Code Section 54956.9(d)(2).

In the Matter of the Amended Statement of Issues Regarding the Appeal of Tier Conversion Contract Amendment by Santa Clara Valley Water District, Respondent

(Agency Case No. 2024-0867; OAH No. 2025080184)

(\*Previously Listed as Item 2.2)

**\*2.2. CLOSED SESSION**

[26-0512](#)

CONFERENCE WITH LEGAL COUNSEL, INITIATION OF LITIGATION

Pursuant to Government Code Section 54956.9(d)(4)

One Potential Case

(\*Previously Listed as Item 2.1)

**\*2.3. CLOSED SESSION**

[26-0522](#)

CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION

Pursuant to Government Code section 54956.9(d)(2)

One Potential Case

**\*2.4. CLOSED SESSION**

[26-0517](#)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: District Counsel

Pursuant to Government Code Section 54957(b)(1)

- \*2.5. CLOSED SESSION [26-0519](#)  
PUBLIC EMPLOYEE APPOINTMENT  
Pursuant to Government Code Section 54957(b)(1)  
Title: Chief Executive Officer

- \*2.6. CLOSED SESSION [26-0521](#)  
CONFERENCE WITH LEGAL COUNSEL, INITIATION OF LITIGATION  
Pursuant to Government Code Section 54956.9(d)(4)  
One Potential Case

- \*2.7. District Counsel Report on Closed Session.  
(\*Previously Listed as Item 2.3)

**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.  
(\*Previously Listed as Item 3.3)

*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.*

**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. Adopt a Resolution in Support of the Association of California Water Agencies' Vision for Our Water Future Recommendations. [26-0475](#)

Recommendation: Adopt the Resolution SUPPORT OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES' VISION FOR OUR WATER FUTURE RECOMMENDATIONS.

Manager: Joshua Golka, 408-630-4508

Attachments: [Attachment 1: ACWA Vision for Our Water Future Policy](#)  
[Attachment 2: Resolution](#)

- \*4.2. Adopt a Resolution Adopting Employee Salary Schedule Effective June 22, 2026, The Beginning of Pay Period 14 of Fiscal Year 2027.  
(\*Moved to Item 10.1)

- 4.3. Adopt Plans and Specifications and Authorize Advertisement for Bids 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 (Milpitas and San Jose, Districts 3 and 6). [26-0274](#)

Recommendation:

- A. Consider the First Addendum to the Final Environmental Impact Report (EIR) along with the Final EIR for the Upper Berryessa Creek Flood Risk Management Project;
- B. Approve the Upper Berryessa Creek Off-Site Mitigation Project
- C. Adopt the Plans and Specifications and Authorize Advertisement for Bids for Construction of the Upper Berryessa Creek Off-Site Mitigation Project per the Notice to Bidders; and
- D. Authorize the Designated Engineer to issue addenda, as necessary, during the bidding process.

Manager: Bhavani Yerrapotu, 408-630-2735

Attachments: [Attachment 1: Location Map](#)  
[Attachment 2: Notice To Bidders](#)  
[Attachment 3: Project Delivery Process Chart](#)  
[Attachment 4: Plans](#)  
[Attachment 5: Specifications](#)  
[Attachment 6: First Addendum to the Final EIR](#)

- 4.4. Adopt Recommended Positions on Federal Legislation: S. 3732 (Gallego) [25-1055](#)  
- Water Security and Drought Resilience Act; S. 4213 (Durbin) - Data Center Water and Energy Transparency Act of 2026; And Other Legislation That May Require Consideration by the Board.

Recommendation: A. Adopt a Position of "Support" on S. 3732 (Gallego) - Water Security and Drought Resilience Act; and  
B. Adopt a Position of "Support" on S. 4213 (Durbin) - Data Center Water and Energy Transparency Act of 2026.

Manager: Marta Lugo, 408-630-2237

- 4.5. Adopt Recommended Positions on State Legislation: AB 1603 (Schultz) [25-1000](#)  
Pesticides: Perfluoroalkyl and Polyfluoroalkyl substances (PFAS), SB 949 (Becker) Environmental Protection: Natural Resources Agency: Resource of Statewide Significance: Santa Cruz Mountains, and Other Legislation Which May Require Urgent Consideration for a Position by the Board.

Recommendation: A. Adopt a position of "Support" on: AB 1603 (Schultz) Pesticides: perfluoroalkyl and polyfluoroalkyl substances (PFAS); and  
B. Adopt a position of "Support" on: SB 949 (Becker) Environmental protection: Natural Resources Agency: resource of statewide significance: Santa Cruz Mountains.

Manager: Joshua Golka, 408-630-4508

- \*4.6. Approval of Minutes from April 23, 28, and 29, 2026. [26-0091](#)

Recommendation: Approve the Minutes from April 23, 28, and 29, 2026.

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

Attachments: [\\*Attachment 1: 04232026 Special Meeting Minutes](#)  
[\\*Attachment 2: 04282026 CS and Regular Meeting Minutes](#)  
[\\*Attachment 3: 04292026 Special Meeting Minutes](#)

- \*4.7. Accept the CEO Bulletin for the Weeks of May 8 - 21, 2026. [26-0504](#)

Recommendation: Accept the CEO Bulletin.

Manager: Melanie Richardson, 408-630-2017

Attachments: [\\*Attachment 1: 05212026 CEO Bulletin](#)

## 5. BOARD OF DIRECTORS:

\*5.1. Board Committee Reports.

[26-0503](#)

Attachments: [\\*Handout 5.1-A: 04152026 BAC, Summary](#)

[\\*Handout 5.1-B: 05272026 RWC, Agenda](#)

Est. Staff Time: 5 Minutes.

## 6. WATER UTILITY ENTERPRISE:

6.1. Receive an Update on Golden Mussel Detection in California and Santa Clara Valley Water District's Response.

[26-0316](#)

Recommendation: Receive an update and provide feedback on Santa Clara Valley Water District's response to the threat of golden mussels in California.

Manager: Sam Bogale, 408-630-3505

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 20 Minutes.

6.2. Receive Report of Bids, Ratify Addenda, Approve the Contingency Fund, and Award the Construction Contract to Con-Quest Contractors, Inc., for the East Pipeline Inspection and Rehabilitation Project, Project No. 95084004, Contract No. C0718, in the Sum of \$4,809,013.53 (San Jose, Districts 1, 3, and 6).

[26-0227](#)

Recommendation:

- A. Ratify Addenda No(s). 1, 2, 3, 4, 5, and 6 to the Contract Documents for the East Pipeline Inspection and Rehabilitation Project;
- B. Award the Construction Contract to Con-Quest Contractors, Inc., located in Burlingame, CA, in the sum of \$4,809,013.53; and
- C. Approve a contingency sum of \$721,352.03 and authorize the Chief Executive Officer or designee to approve individual change orders up to the designated amount.

Manager: Emmanuel Aryee, 408-630-3074

Attachments: [Attachment 1: Project Delivery Process Chart](#)

[Attachment 2: Project Overview Map](#)

Est. Staff Time: 10 Minutes.

## 7. WATERSHEDS:

- 7.1. Approve Agreement No. A5752A with Stillwater Ecosystem, Watershed & Riverine Sciences for Guadalupe River Mitigation and Monitoring Water Years 2026-2029, Project No. 30151026, PB File No. VW0643, for a Not-to-Exceed Amount of \$1,063,284. [26-0437](#)

Recommendation: Approve Agreement No. A5752A with Stillwater Ecosystem, Watershed & Riverine Sciences for Guadalupe River Mitigation and Monitoring Water Years 2026-2029, for a Not-to-Exceed Amount of \$1,063,284.

Manager: John Bourgeois, 408-630-2990

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

Est. Staff Time: 5 Minutes.

## 8. ASSISTANT CHIEF EXECUTIVE OFFICER:

- \*8.1. Receive Report of Bids, Ratify Addenda, Approve the Contingency Fund, and Award the Construction Contract to Hanford Applied Restoration & Conservation for the Federal Energy Regulatory Commission Order Compliance Project Live Oak Restoration Reach Project, Project No. 91864005, Contract No. C0726 in the sum of \$3,829,918.75 (Morgan Hill, District 1). [26-0500](#)

Recommendation:

- A. Ratify Addenda Nos.1 and 2 to the Contract Documents for the FERC Order Compliance Project (FOCP) Live Oak Restoration Reach Project;
- B. Award the Construction Contract to Hanford Applied Restoration & Conservation, located in Petaluma, California, in the sum of \$3,829,918.75; and
- C. Approve a contingency sum of \$574,487.81 and authorize the Chief Executive Officer or designee to approve individual change orders up to the designated amount.

Manager: Ryan McCarter, 408-630-2983

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

Est. Staff Time: 10 Minutes.

## 9. EXTERNAL AFFAIRS:

- \*10.1 Adopt a Resolution Adopting Employee Salary Schedule Effective June 22, 2026, The Beginning of Pay Period 14 of Fiscal Year 2027. [26-0441](#)  
(\*Previously Listed as Item 4.2)

Recommendation: Adopt the Resolution ADOPTING EMPLOYEE SALARY

SCHEDULE - EFFECTIVE PAY PERIOD 14 OF FISCAL YEAR 2027.

Manager: Patrice McElroy, 408-630-3159

Attachments: [Attachment 1: Resolution](#)

\*10.2 CEO and Chiefs' Reports. [26-0505](#)  
(\*Previously Listed as Item 10.1)

Attachments: [\\*Handout 10.2-A: OCA, Summary](#)

[\\*Handout 10.2-B: Grants, Bi Monthly Update](#)

Est. Staff Time: 5 Minutes.

**11. ADMINISTRATION:**

11.1. Receive Information on Construction Project Delivery Methods and Senate Bill 598 - Expanded Authority for Construction Manager/General Contractor Delivery Method, and Approve Preliminary List of Projects. [26-0356](#)

- Recommendation:
- A. Receive information on construction project delivery methods, including Design-Bid-Build (DBB), Design-Build (DB), Progressive Design-Build (PDB), Public-Private Partnerships (P3), and Best Value selection approaches;
  - B. Receive information on Senate Bill (SB) 598 and the expanded authority for the Construction Manager/General Contractor (CM/GC) delivery method;
  - C. Approve the list of projects for delivery using the CM/GC method, authorizing staff to proceed with CM/GC delivery for the identified projects; and
  - D. Provide feedback to staff as needed.

Manager: Tony Ndah, 408-630-2208

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 20 Minutes.

**12. DISTRICT COUNSEL:**

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

\*13.1 Review the Fiscal Year 2026 Board Policy Planning Calendar. [26-0002](#)

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, June, 9, 2026, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California, and via Zoom teleconference.