



Proposed Modifications

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Agenda

Renewed Safe, Clean Water Program

Change Control Process

Proposed Modifications

Next Steps

History of Voter-approved Measures



Community-Preferred Priorities



Transparency and Accountability



Multiple
15-Year
Financial
Planning
Cycles



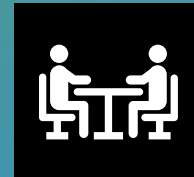
5-Year
Checkpoints and
Implementation
Plans



Annual Reports;
Website
Updates



Independent
Monitoring



5-Year
Professional,
Independent
Audits



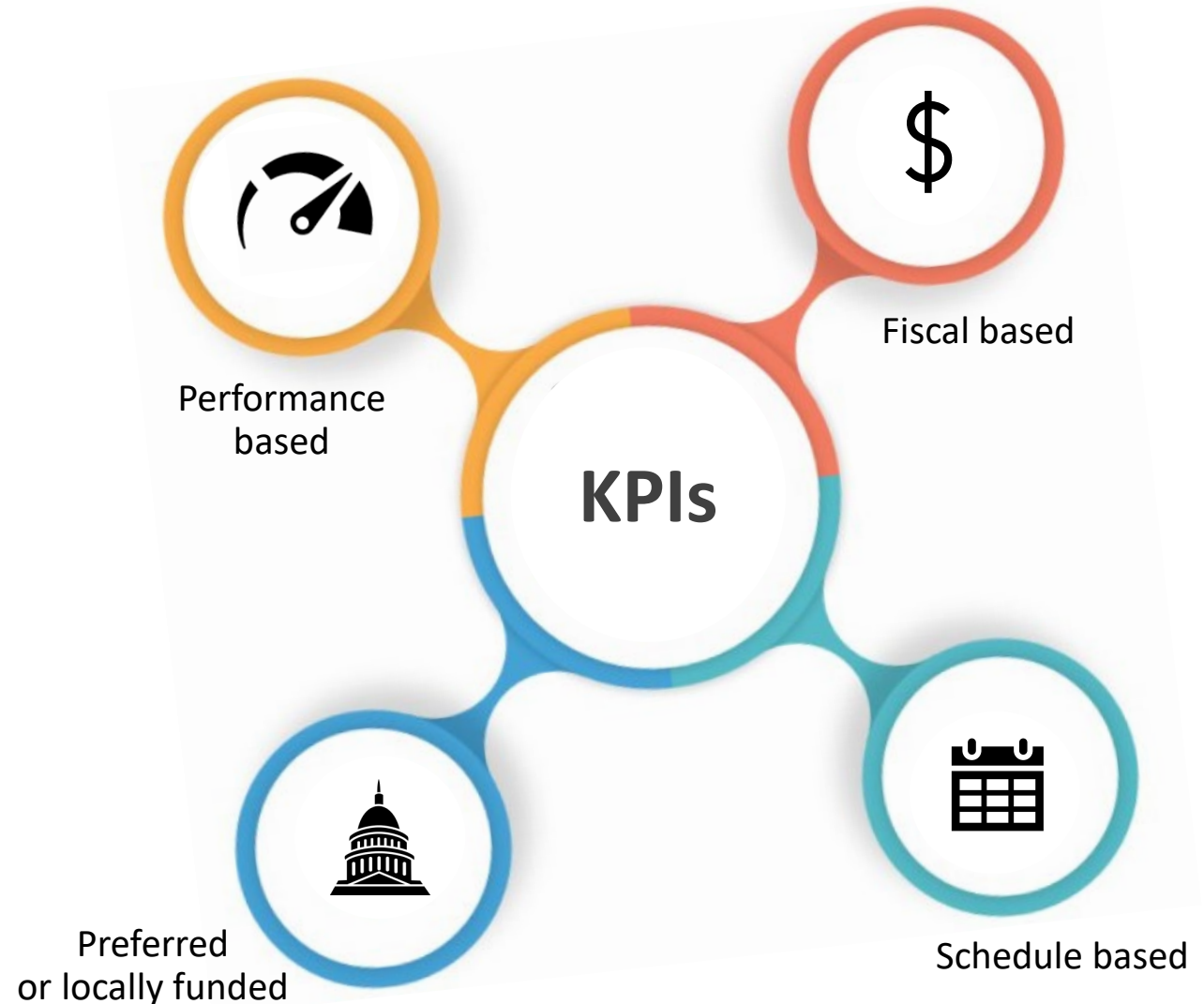
Change
Control
Process



Public &
Interested
Parties
Engagement
Process every
15-years

Monitoring Projects & Program Performance

- KPIs are contained in the election resolution approved by the voters
- Staff, IMC, or Board may recommend KPI adjustment or modification
- Board may modify or adjust KPIs as per the Change Control Process

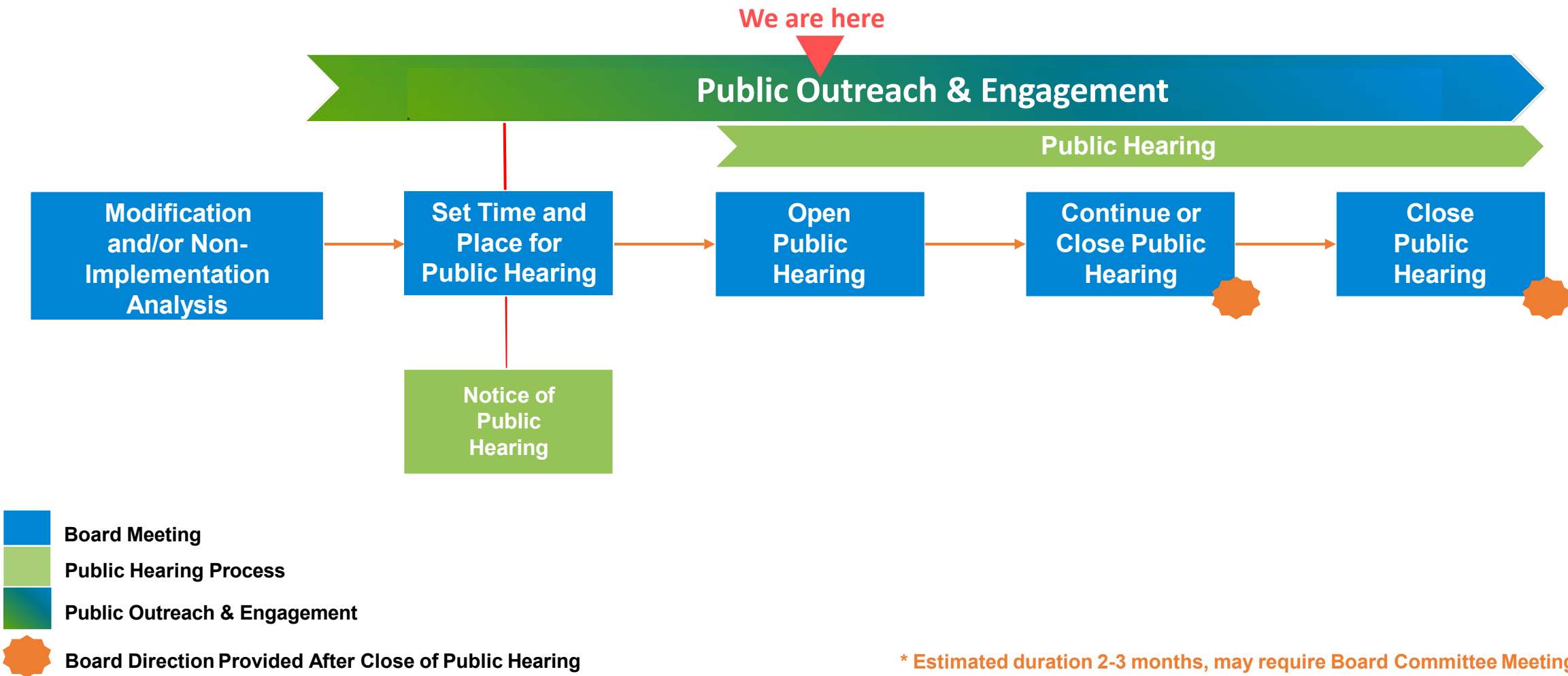


Change Control Process



Change Control Process: Recent Improvements

Standard Process Timeline*



* Estimated duration 2-3 months, may require Board Committee Meetings.

Change Control Process: Recent Improvements

Definitions

Adjustment

(publicly noticed Board meeting)

Changes to the project text or funding allocation that **do not impact** the delivery of any project **KPI**, or changes to a project schedule. Adjustments may include change(s) to a KPI when the purpose of such change(s) is to clarify the project KPI to be consistent with the applicable project description in the approved Program

Modification

(formal public hearing)*

Changes to project description, project KPI, or funding allocation that **impact** the delivery of any project **KPI**.

Not Implement

(formal public hearing)*

A decision by the Board to **not implement** a **project**

Proposed Modifications



Project E5: San Francisquito Creek Flood Protection (Palo Alto)

Auditor Finding #7 and Proposed Modifications

Current KPI #1 and KPI #2:

1. “Preferred project with federal, state and local funding: Protect more than 3,000 parcels by providing 1% (100-year) flood protection.”
2. “With state and local funding only: Protect approximately 3,000 parcels by providing 1% (100-year) flood protection downstream of Highway 101, and approximately 1.4% (70-year) protection upstream of Highway 101.”

Auditor Finding (Finding 7):

- KPI holds Valley Water accountable for flood protection outcome, while Valley Water has no direct control or authority to ensure this outcome is achieved
- KPI does not accurately reflect Valley Water’s current role as a funding partner

Project E5: San Francisquito Creek Flood Protection (Palo Alto)

Auditor Finding #7 and Proposed Modifications

Proposed KPI #1 and KPI #2 Revisions:

- ~~1. “Preferred project with federal, state and local funding: Protect more than 3,000 parcels by providing 1% (100-year) flood protection.”~~
 - ~~2. “With state and local funding only: Protect approximately 3,000 parcels by providing 1% (100-year) flood protection downstream of Highway 101, and approximately 1.4% (70-year) protection upstream of Highway 101.~~
-
1. Provide the San Francisquito Creek Joint Powers Authority a portion of funds commensurate with the project’s benefits to Santa Clara County, to provide flood protection along San Francisquito Creek.

Project F6: Good Neighbor Program: Graffiti | Litter Removal | Public Art

Proposed Modifications

Current KPI #3:

3. “Provide up to \$1.5 million over 15 years to implement public art projects on Valley Water property and infrastructure.”

Purpose of Proposed Modification:

Allow funding of public art projects beyond Valley Water property and infrastructure to educate the public about water and environmental stewardship

Proposed KPI #3:

3. “Provide up to \$1.5 million over 15 years to implement **or fund** public art projects ~~on Valley Water property and infrastructure.~~”

Project F6: Good Neighbor Program: Graffiti | Litter Removal | Public Art

Proposed Modifications

Project Description (Scope):

To maintain consistency with the proposed change to KPI#3, staff recommends the following changes to the Project F6 description:

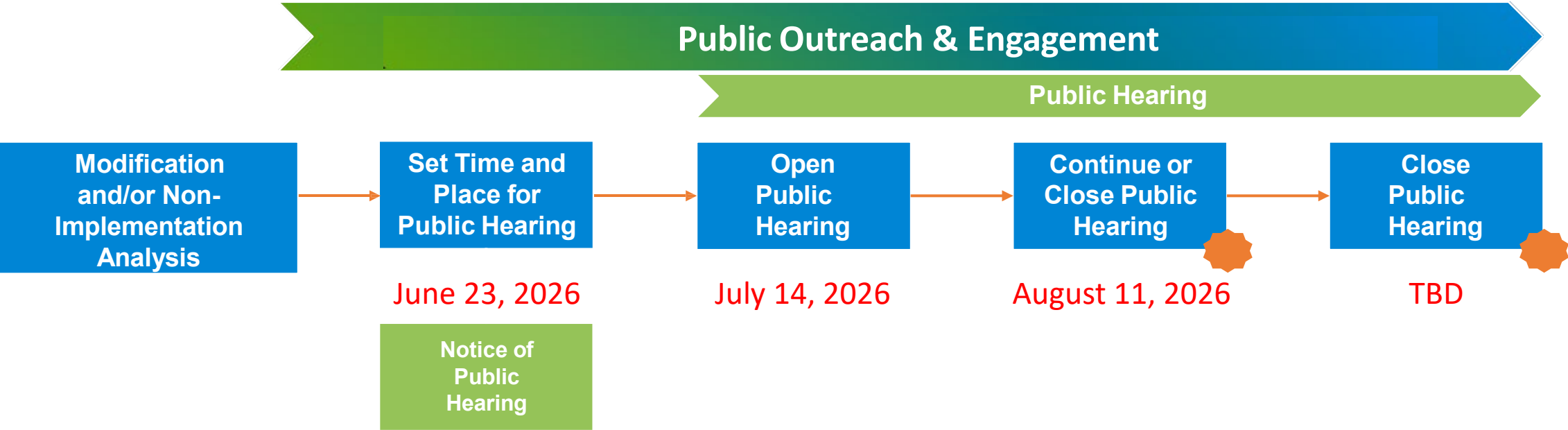
“This project allows Valley Water to continue responding to requests for cleanup of illegal dumping, trash and graffiti on Valley Water’s property and rights-of-way. Cleanup efforts include graffiti removal from floodwalls, concrete embankments, signs, structures and other Valley Water assets, as well as maintaining, repairing and installing fences and gates so that Valley Water structures and facilities remain safe and clean. The project also funds installation and maintenance of public art projects, such as murals, ~~to beautify Valley Water property and infrastructure, to~~ in public spaces throughout Santa Clara County to educate the public about water and environmental stewardship, which in turn will also help deter graffiti and litter.”

Next Steps



Change Control Process: Recent Improvements

Standard Process Timeline*



- Board Meeting
- Public Hearing Process
- Public Outreach & Engagement

Board Direction Provided After Close of Public Hearing

* Estimated duration 2-3 months, may require Board Committee Meetings.

QUESTIONS





Valley Water

Clean Water • Healthy Environment • Flood Protection

Frequently Asked Questions and Answers (FAQs)

Q1: Are KPIs allowed to change after voters approved Measure S?

- A.
- *Yes. Measure S (Safe, Clean Water Program or Program) includes a Board-approved Change Control Process that allows the Board to consider modifications to the Program.*
 - *Any change impacting project descriptions, benefits, KPI, or funding allocations follows the Board-approved Change Control Process*
 - *Public hearing to modify a project ensures transparency and provides the opportunity for community input before a Board action*

FAQs (continued)

Q2: Why is Valley Water proposing changes to these projects?

A. **Project E5**

- *Responds to the independent performance audit recommendation*
- *Current KPIs measure outcomes outside Valley Water's control*
- *Proposed KPI aligns with Valley Water's role as a funding partner and one of the five equal members of SFCJPA*

Project F6

- *Staff-initiated proposal*
- *Increases community benefits*
- *Improves long-term program feasibility*
- *Better aligns the project with Valley Water's strategic priorities and available resources*

FAQs (continued)

Q3: Who is responsible for delivering the San Francisquito Creek project?

- A. • *SFCJPA is the lead agency responsible for:*
- *Project planning and design*
 - *Environmental permitting*
 - *Funding coordination*
 - *Construction delivery*
- *Valley Water is one of five SFCJPA member agencies*
 - *Valley Water participates in accordance with the Joint Powers Agreement*
 - *Community members interested in the pace or direction of the project may provide input directly through SFCJPA Board meetings and public comment opportunities*

FAQs (continued)

Q4: Is Valley Water withdrawing from the San Francisquito Creek project?

- A.**
- *No. Valley Water remains an SFCJPA member*
 - *Safe, Clean Water Program funding commitment remains unchanged, including the local cost share for the Newell Road Bridge Replacement*
 - *SFCJPA continues pursuing additional federal, state, and local funding for the remaining project elements, which are still being planned*

Q5: Does this proposal weaken Valley Water's commitment to the project?

- A.**
- *No. The proposal only changes how performance is measured under the Program*
 - *It does not change Valley Water's commitment, and Valley Water remains an active SFCJPA partner with no change to existing responsibilities or funding commitments*
 - *Project's flood protection objectives remain unchanged*
 - *Since 2022, Program funding has increased from \$11.5 million to ~\$26.3 million, reflecting Valley Water's continued financial commitment*

FAQs (continued)

Q6: Does this proposal eliminate Valley Water's commitment to flood protection?

- A.
- *No. Flood protection remains the project's primary purpose and benefit.*
 - *The proposed KPI focuses on Valley Water's measurable responsibilities under the Program*
 - *Overall flood protection outcomes depend on the collective actions of the SFCJPA, not Valley Water alone*

Q7: Why isn't the proposed KPI based on flood protection outcomes?

- A.
- *SFCJPA is the lead agency responsible for planning, design, permitting, funding coordination, and construction*
 - *Valley Water is one of five SFCJPA member agencies and funding partners, participating under the Joint Powers Agreement*
 - *Project outcomes depend on all five SFCJPA member agencies, not Valley Water alone*
 - *Proposed KPI measures Valley Water's responsibilities under the Program, rather than outcomes outside its control*

FAQs (continued)

Q8: Does the proposed KPI change Valley Water's contractual obligations?

- A. • *No. Existing SFCJPA agreements remain unchanged.*
- *Proposal only changes the Program's performance metric*
 - *No changes to funding responsibilities or partnership commitments, or other responsibilities established through the existing membership agreement*

Q9: Why is Valley Water's role in Reach 2 different from Reach 1?

- A. • *Valley Water led Reach 1 under a 2015 Construction Management Agreement*
- *No comparable agreement exists for Reach 2*
 - *SFCJPA remains the lead agency for Reach 2*
 - *Future lead roles would require SFCJPA Board approval and new agreements*
 - *SFCJPA Board meetings are the best venue for public input on Valley Water's role or any other agency's role in Reach 2*

FAQs (continued)

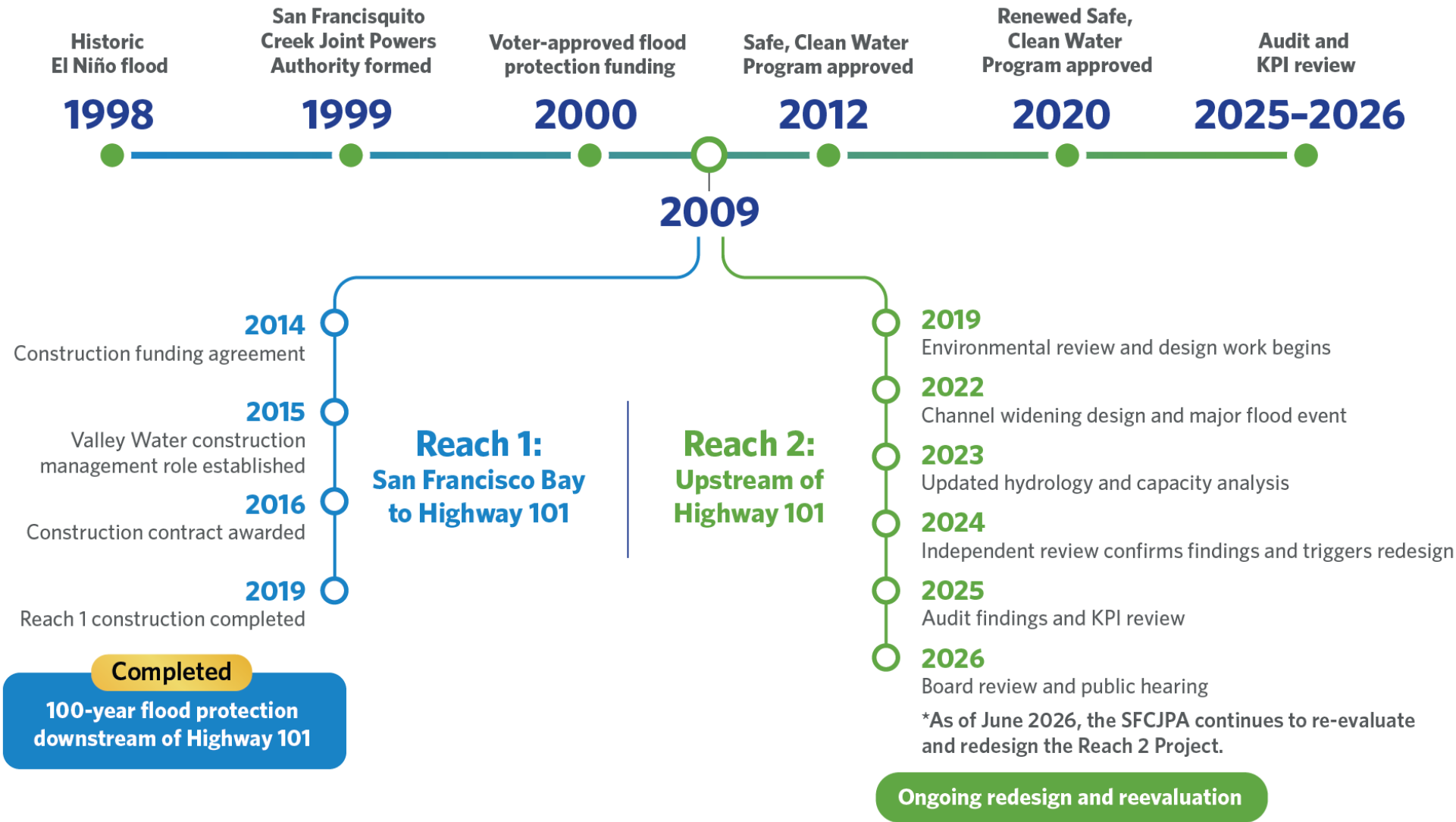
Q10: What does “commensurate with the project's benefits to Santa Clara County” mean?

- A.
- *Safe, Clean Water Program is funded by Santa Clara County taxpayers*
 - *Valley Water's financial participation should be proportional to the flood protection benefits the project provides within Santa Clara County*
 - *No change to current Program funding allocations or SFCJPA agreements*
 - *Provides a framework for future funding decisions as project benefits are defined*

Q11: Does this proposal affect Valley Water’s current role or the technical support provided by Valley Water?

- A.
- *No. KPI change affects performance measurement only*
 - *No change to Valley Water's role as an SFCJPA member agency*
 - *Technical support continues under existing agreements and Board direction*

San Francisquito Creek Project Timeline



The proposed modification to the KPI does not reduce the project's funding under the Safe, Clean Water Program. Because the project has not yet been fully defined or designed by the SFCJPA, and the benefit to Santa Clara County remains undefined, an accurate and reliable cost estimate is not currently available. Consequently, it is not possible at this time to determine the portion of funding that is commensurate with the project's benefits to Santa Clara County.



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