



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 SPECIAL MEETING AGENDA**

**Friday, May 16, 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.

Santa Clara Valley Water District Board of Directors

***AMENDED/APPEDED AGENDA**

***ITEMS AMENDED AND/OR APPEDED SINCE THE ORIGINAL PUBLICATION OF THIS AGENDA
ARE IDENTIFIED BY AN ASTERISK (*) HEREIN**

Friday, May 16, 2025

11:00 AM

HQ. Bldg. Boardroom, 5700 Almaden
Expressway, San Jose, California

Join Zoom Meeting:

<https://valleywater.zoom.us/j/84454515597>

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://emmam.srb.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 [25-0277](#)
CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Pursuant to Government Code Section 54956.9(d)(4)
One Potential Case

2.2. CLOSED SESSION [25-0457](#)
CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Pursuant to Government Code Section 54956.9(d)(4)
One Potential Case

2.3. CLOSED SESSION [25-0456](#)
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Great Oaks Water Co. v. SCVWD
(California Supreme Court, No. TEMP-90SN14K7)

*2.4. CLOSED SESSION [25-0464](#)
PUBLIC EMPLOYEE DISCIPLINE
Pursuant to Government Code Section 54957(b)(1)

*2.5. 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. Adopt a Resolution Authorizing the Issuance of Water System Refunding Bonds and Revenue Bonds to Finance Certain Costs of the Water Utility Enterprise, and Approving the Execution and Delivery of Certain Documents and Certain Acts In Connection Therewith in an Aggregate Not-to-Exceed Amount of \$520 Million; Adopt a Resolution Authorizing the Issuance of Water System Revenue Bonds to Finance Certain Costs of the San Jose Water Purification Project, Phase I, and Approving the Execution and Delivery of Certain Documents and Certain Acts in Connection Therewith in an Aggregate Not-to-Exceed Amount of \$100 Million; Adopt a Resolution Authorizing the Execution and Delivery of a Tax-Exempt Tax and Revenue Anticipation Note, and a Taxable Tax and Revenue Anticipation Note to Support Short-Term Obligations; Adopt a Resolution for Intention to Issue Tax-Exempt Obligations for Water Utility Enterprise; and Adopt a Resolution for the Safe, Clean Water and Natural Flood Protection and Watershed Stream Stewardship Programs.

- Recommendation:
- A. Adopt the Resolution authorizing the issuance of WATER SYSTEM Refunding Revenue Bonds AND Revenue Bonds, AND approving the execution and delivery of certain documents and certain acts in connection therewith, in an aggregate not to exceed amount of \$520 million;
 - B. Adopt the Resolution Authorizing the Issuance of Water System Revenue Bonds to Finance Certain Costs of the San Jose Water Purification Project (Phase I), and Approving the Execution and Delivery of Certain Documents and Certain Acts in Connection Therewith, in an amount not to exceed \$100 million;
 - C. Adopt the Resolution AUTHORIZING THE EXECUTION AND DELIVERY OF A TAX-EXEMPT TAX AND REVENUE ANTICIPATION NOTE AND A TAXABLE TAX AND REVENUE ANTICIPATION NOTE to support short-term obligations;
 - D. Adopt the Resolution INTENTION TO ISSUE TAX-EXEMPT OBLIGATIONS FOR WATER UTILITY ENTERPRISE;
 - E. Adopt the Resolution INTENTION TO ISSUE TAX-EXEMPT OBLIGATIONS FOR SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION AND WATERSHED AND STREAM STEWARDSHIP PROGRAMS;
 - F. Authorize the Chief Executive Officer, or their designee, to execute the Tax and Revenue Anticipation Notes and the Certificate as to uncollected taxes, income, revenue, cash receipts and other money;
 - G. Authorize the District Counsel, or their designee, to approve as to form the Tax and Revenue Anticipation Notes; and
 - H. Authorize and direct the Chief Executive Officer, or their

designee, and such other officers and staff of the Santa Clara Valley Water District, acting singly, to do any and all things to execute and deliver any and all documents which such officers may deem necessary or advisable in order to consummate the sale and delivery of the Refunding Revenue Bonds, Revenue Bonds, and the ongoing administration thereof.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: Resolution](#)
[Attachment 2: Resolution, Water Purification](#)
[Attachment 3: Resolution, TRANS](#)
[Attachment 4: Resolution, WUE](#)
[Attachment 5: Resolution, SCW, WS](#)
[Attachment 6: Financing Documents, Series 2025AB](#)
[Attachment 7: Financing Documents, Series 2025C](#)
[Attachment 8: Debt Management Policy](#)
[Attachment 9: PowerPoint](#)

- 3.5. Conduct a Public Hearing to Consider the Santa Clara Valley Water District's Capital Improvement Program Draft Fiscal Years 2026-30 Five-Year Plan. [25-0430](#)

(Continued from April 23, 2025)

- Recommendation:
- A. Open and conduct the continued Public Hearing to receive public comments and Board feedback regarding the Santa Clara Valley Water District's Capital Improvement Program Draft Fiscal Years 2026-30 Five-Year Plan; and
 - B. Continue 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.

- 3.6. Conduct a Public Hearing on the February 2025 Annual Report on the Protection and Augmentation of Water Supplies and Recommended Increases in Groundwater Production Charges, Surface Water Charges, and Recycled Water Charges for Fiscal Year 2025-26; Consider Staff's Recommendation Concerning Setting of State Water Project Tax.
(Continued from April 25, 2025)

[24-0909](#)

- Recommendation:
- A. Open and conduct the continued Public Hearing pursuant to Section 26.6 of the District Act to consider Santa Clara Valley Water District's Fiscal Year (FY) 2025-26 Annual Report on the Protection and Augmentation of Water Supplies and recommended increases to groundwater production charges (between 7.9% to 11.2%), surface water charges (between 8% to 11.1%) and recycled water charges (between 4.6% to 8.1%);
 - B. Hear public comments from groundwater producers and any interested persons regarding the Report and recommendations;
 - C. Consider any written protests to proposed surface water rate increases;
 - D. Consider staff's recommendation to set the State Water Project tax in an amount sufficient to pay next year's State Water Project costs (excluding Delta Conveyance Project costs) to avoid severe water rate impacts and keep rates feasible;
 - E. Close the Public Hearing; and
 - F. At the close of the Public Hearing, count all written protests received, if any, regarding proposed surface water rates.

Manager: Aaron Baker, 408-630-2135

Attachments: [Attachment 1: Staff Report](#)
[Attachment 2: SCVWD Resolution No. 12-10](#)
[*Handout 3.6-A: Langston](#)
[*Handout 3.6-B: Shannon](#)
[*Handout 3.6-C: Buckley](#)
[*Handout 3.6-D: Nelson](#)
[*Handout 3.6-E: Brownstein Hyatt Farber Schreck, LLP](#)

Est. Staff Time: 10 Minutes.

REGULAR AGENDA:

4. CONSENT CALENDAR: (4.1 - *4.5) (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 Delegating Authority to Deposit and Invest Funds to the Treasurer or Their Designees and Approve the Board Investment Policy. [25-0197](#)

Recommendation: A. Adopt the Resolution DELEGATING AUTHORITY TO DEPOSIT AND INVEST FUNDS TO THE TREASURER OR THEIR DESIGNEES; and
 B. Approve the Board Investment Policy.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: Resolution](#)
 [Attachment 2: FY 2025-2026 Board Investment Policy](#)
 [Attachment 3: CMTA Certificate](#)
 [Attachment 4: ESG Report](#)

- 4.2. Adopt a Resolution Proclaiming May 18-24, 2025, as National Public Works Week. [25-0445](#)

Recommendation: Adopt the Resolution PROCLAIMING MAY 18-24, 2025, AS NATIONAL PUBLIC WORKS WEEK.

Manager: Rita Chan, 408-630-2620

Attachments: [Attachment 1: Resolution](#)
 [Attachment 2: Poster](#)

- 4.3. Accept the Work as Complete and Direct the Clerk to File the Notice of Completion of Contract and Acceptance of Work for the Santa Teresa Water Treatment Plant Filter Media Replacement Project, Thompson Builders Corporation, Contractor, Project No. 93284013, Contract No. C0681 (San Jose, District 7). [25-0363](#)

Recommendation: A. Accept the work on the Santa Teresa Water Treatment Plant Filter Media Replacement Project, Project No. 93284013, Contract No. C0681 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](#)

- 4.4. Approval of Minutes. [25-0351](#)

Recommendation: Approve the minutes.

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

Attachments: [Attachment 1: 03112025 CS and Regular Meeting Minutes](#)

- *4.5. Accept the CEO Bulletin for the Weeks of April 18 through May 8, 2025. [25-0451](#)

Recommendation: Accept the CEO Bulletin.

Manager: Melanie Richardson, 408-630-2017

Attachments: [*Attachment 1: 05082025 CEO Bulletin](#)

5. BOARD OF DIRECTORS:

- *5.1. Board Committee Reports. [25-0450](#)

Attachments: [*Handout 5.1-A: 04022025 JWRC, Summary](#)
 [*Handout 5.1-B: 04142025 BPMC, Summary](#)
 [*Handout 5.1-C: 04292025 RWC, Summary](#)

Est. Staff Time: 5 Minutes.

6. WATER UTILITY ENTERPRISE:

7. WATERSHEDS:

8. ASSISTANT CHIEF EXECUTIVE OFFICER:

9. EXTERNAL AFFAIRS:

10. CHIEF EXECUTIVE OFFICER:

*10.1 CEO and Chiefs' Reports.

[25-0452](#)

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

Est. Staff Time: 5 Minutes.

11. ADMINISTRATION:

11.1. Conduct a Public Hearing on Vacancy Status, Recruitment, and Retention Efforts.

[25-0408](#)

Recommendation: A. Open and conduct the Public Hearing to receive a presentation on Santa Clara Valley Water District vacancy status, recruitment, and retention efforts;
B. Close the Public Hearing; and
C. Provide feedback as necessary.

Manager: Patrice McElroy, 408-630-3159

Attachments: [Attachment 1: Gov. Code 3502.3](#)
[Attachment 2: PowerPoint](#)

Est. Staff Time: 10 Minutes.

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.

[25-0472](#)

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](#)
[*Handout 13.1-A: FY24-25 Board Policy Planning Calendar, revise](#)

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 11:00 a.m. on Tuesday, May 27, 2025, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California, and via Zoom teleconference.