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, July 14, 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

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/APPENDED AGENDA

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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

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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 26-0616
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957(b)(1)
Title: Clerk of the Board

2.2. CLOSED SESSION 26-0579
PUBLIC EMPLOYEE APPOINTMENT
Pursuant to Government Code Section 54957(b)(1)
Title: Chief Executive Officer

2.3. CLOSED SESSION 26-0605
CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Santa Clara Valley Water District v. San Jose Unified School District
Case Number 26CV487931

2.4. CLOSED SESSION 26-0618
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Pursuant to Government Code Section 54956.9(d)(2)
Two Cases

2.5. 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 on Proposed Modifications to Projects under Priorities E and F of the Safe, Clean Water and Natural Flood Protection Program. 26-0600

Recommendation:

A. Open and conduct a Public Hearing to receive comments on the proposed modifications to the following projects in the Safe, Clean Water and Natural Flood Protection Program: **Project E5**: San Francisquito Creek Flood Protection, and **Project F6**: Good Neighbor Program: Graffiti and Litter Removal and Public Art; and

B. Continue the Public Hearing at the following regularly scheduled Board Meeting on August 11, 2026, and conclude it, or if necessary, continue it to the subsequent regularly scheduled Board Meeting on August 25, 2026.

Manager: Luz Penilla, 408-630-2228

Attachments: Attachment 1: Change Control Process At-a-Glance
Attachment 2: Audit Report
Attachment 3: Notice of Public Hearing and Schedule
Attachment 4: FAQs
Attachment 5: Project Timeline
Attachment 6: PowerPoint
Handout 3.4-A: H. Hitchings
Handout 3.4-B: J. Shore

Est. Staff Time: 25 Minutes.

3.5. Receive Results of Consultant Study Regarding Santa Clara Valley Water District's Water Use Projections, Water Demand Elasticity, and Customer Affordability; Receive an Update on Valley Water's Water Rate Assistance Program; and Provide Direction to Staff as Needed. 26-0254

Recommendation:
A. Receive results of the completed consultant study regarding Santa Clara Valley Water District's water use projections, water demand elasticity, and customer affordability;
B. Receive an update on Valley Water's Water Rate Assistance Program (WRAP); and
C. Provide direction to staff, as needed.

Manager: Rachael Gibson, 408-630-2884
Darin Taylor, 408-630-3068

Attachments: Attachment 1: PowerPoint
Attachment 2: Comprehensive Executive Summary
Attachment 3: Full Study Report

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 a Resolution Authorizing the Santa Clara Valley Water District to Submit a Grant Application to the United States Economic Development Administration Fiscal Year 2025 Disaster Supplemental Grant Program for $19,500,000 and, if Awarded, Delegate Authority to the Chief Executive Officer to Negotiate and Execute the Grant Agreement, and any Amendments Thereto, for the Anderson Dam Seismic Retrofit Project, Project No. 91864005, Stage 2 Diversion Project. 26-0378

Recommendation:

A. Adopt the RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE UNITED STATES ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) GRANT PROGRAM FOR $19,500,000 AND, IF AWARDED, DELEGATE AUTHORITY TO THE CHIEF EXECUTIVE OFFICER, TO NEGOTIATE AND EXECUTE A GRANT AGREEMENT AND ANY AMENDMENTS THERETO, FOR THE ANDERSON DAM SEISMIC RETROFIT PROJECT STAGE 2 DIVERSION PROJECT, PROJECT NO. 91864005**;**
B. Delegate authority to the Chief Executive Officer (CEO) to submit a grant application and, if awarded, to negotiate and execute a Grant Agreement with Economic Development Administration (EDA) to support the Anderson Dam Seismic Retrofit Project (ADSRP) Stage 2 Diversion Project, and any amendments thereto provided all grant requirements can be met;
C. Delegate authority to the CEO to sign and submit invoices to EDA for grant fund reimbursements to be made pursuant to the Grant Agreement; and
D. Delegate to the CEO, such other authority as needed, to provide management and support services required for the performance of the work and administration, pursuant to the Grant Agreement, as deemed necessary and appropriate.

Manager: Angie Perkins-Haslam, 408-630-2165

Attachments: Attachment 1: Resolution
Attachment 2: Project Location Map
Attachment 3: Project Location Map, Stage 2
*Handout 4.1-A: PowerPoint

4.2. Adopt a Resolution Authorizing the Approval of the Compensation Agreement Transferring Three Public Parking Garage Parcels in Sunnyvale from the Sunnyvale Successor Agency to the City of Sunnyvale and Authorize the Chief Executive Officer to Execute the Compensation Agreement. 26-0499

Recommendation:

A. Adopt the Resolution AUTHORIZING THE APPROVAL OF THE COMPENSATION AGREEMENT

TRANSFERRING THREE PUBLIC PARKING GARAGE PARCELS IN SUNNYVALE FROM THE SUNNYVALE SUCCESSOR AGENCY TO THE CITY OF SUNNYVALE; and

B. Authorize the Chief Executive Officer to execute the Compensation Agreement.

Manager: Darin Taylor, 408-630-3068

Attachments: Attachment 1: Resolution
*Attachment 2: Agreement
Attachment 3: County Executive Memo
Attachment 4: Resolution No. OB-2026-4

*4.3. Approval of Minutes of June 9, 2026. 26-0094

Recommendation: Approve the minutes of June 9, 2026.

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

Attachments: *Attachment 1: 06092026 CS and Regular Meeting Minutes

*4.4. Accept the CEO Bulletin for the Weeks of June 19 through July 9, 2026. 26-0595

Recommendation: Accept the CEO Bulletin.

Manager: Melanie Richardson, 408-630-2017

Attachments: *Attachment 1: 07092026 CEO Bulletin

5. BOARD OF DIRECTORS:

5.1. Adopt a Resolution Providing for the Compensation for the Clerk of the Board, a Board Appointed Officer of the Santa Clara Valley Water District. 26-0562

Recommendation:

A. Consider and determine compensation adjustments, if any, for the Clerk of the Board;
B. Adopt the Resolution PROVIDING FOR THE COMPENSATION FOR THE CLERK OF THE BOARD, A BOARD APPOINTED OFFICER OF THE SANTA CLARA VALLEY WATER DISTRICT; and
C. Approve the First Amendment to the Employment Agreement Between the Santa Clara Valley Water District and Candice Kwok-Smith, consistent with Board-approved compensation.

Manager: Patrice McElroy, 408-630-3159

Attachments: Attachment 1: Resolution

Est. Staff Time: 10 Minutes.

*5.2. Consider the June 16, 2026, Board Policy and Monitoring Committee Recommendation to Approve the Interim Board Appointed Officer Complaint Policy. 26-0615

Recommendation: Consider the June 16, 2026, Board Policy and Monitoring Committee recommendation to approve the Interim Board Appointed Officer Complaint Policy.

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

Attachments: *Attachment 1: BL-6, Interim Policy

*Attachment 2: Flow Chart

Est. Staff Time: 5 Minutes.

*5.3. Consider March 18, 2026, Board Audit Committee Recommendation to Approve Proposed Amendments to the Board Audit Committee Audit Charter and Proposed Amendments to the Board of Directors Code of Conduct and Ethics; and Provide Further Direction as Needed. 26-0624

Recommendation: Consider recommendations resulting from the March 18, 2026, Board Audit Committee meeting to:

A. Consider and approve proposed amendments to the Board Audit Committee Audit Charter;
B. Consider and approve proposed amendments to the Board of Directors Code of Conduct and Ethics; and
C. Provide further direction, as needed.

Manager: Darin Taylor, 408-630-3068

Attachments: *Attachment 1: Board Audit Committee Charter, Red-lined

*Attachment 2: Directors Code of Conduct and Ethics, Red-lined

*Attachment 3: PowerPoint

*5.4. Board Committee Reports. 26-0594
(*Previously listed as Item 5.2)

Attachments: *Handout 5.4-A: 04082026 WC, Summary

*Handout 5.4-B: 05072026 IMC, Summary

*Handout 5.4-C: 05182026 CIP, Summary

*Handout 5.4-D: 05202026 BAC, Summary

*Handout 5.4-E: 05272026 RWC, Summary

*Handout 5.4-F: 06162026 BPMC, Summary

Est. Staff Time: 5 Minutes.

6. WATER UTILITY ENTERPRISE:

6.1. Adopt a Resolution Making Responsible Agency Findings Under the California Environmental Quality Act and Approve and Authorize the 26-0460

Interim Chief Executive Officer to Negotiate and Execute the Site Works Agreement Among Valley Water, the City of San Jose, and Microsoft Corporation.

Recommendation:

A. Adopt the Resolution CONSIDERING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE SAN JOSE DATA CENTER PROJECT AND ITS ADDENDUM AND MAKING CEQA RESPONSIBLE AGENCY FINDINGS FOR THE SITE WORKS AGREEMENT; and

B. Authorize the Interim Chief Executive Officer to negotiate and execute the Site Works Agreement among Valley Water, the City of San José, and Microsoft Corporation, in substantially the same form as the attached draft and sign the Notice of Determination.

Manager: Kirsten Struve, 408-630-3138

Attachments: Attachment 1: Resolution
Attachment 2: Draft Agreement
Attachment 3: Location Map

Est. Staff Time: 15 Minutes.

7. WATERSHEDS:

8. ASSISTANT CHIEF EXECUTIVE OFFICER:

9. EXTERNAL AFFAIRS:

10. CHIEF EXECUTIVE OFFICER:

*10.1. CEO and Chiefs' Reports. 26-0593

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 2027 Board Policy Planning Calendar. 26-0005

Recommendation: Review the Fiscal Year 2027 Board Policy Planning Calendar.

Manager: Candice Kwok-Smith, 408-630-3139

Attachments: *Attachment 1: FY27 Board Calendar

14. BOARD MEMBER REPORTS/ANNOUNCEMENTS:

15. CLERK REVIEW AND CLARIFICATION OF BOARD REQUESTS:

16. ADJOURN:

16.1 *The Board will convene its next Special Board Meeting at 1:00 p.m. on Friday, July 24, 2026, in the Boardroom of the Santa Clara Valley Water District Headquarters Building, 5700 Almaden Expressway, San Jose, California, and via Zoom teleconference.