



Safe, Clean Water and Natural Flood Protection Program Change Control Process

1. PURPOSE

~~To~~The purpose of this document is to define and standardize the Change Control Process for the Safe, Clean Water and Natural Flood Protection Program (Safe, Clean Water Program or Program). ~~This document outlines the Change Control Process for the Safe, Clean Water Program.~~

2. BACKGROUND

In November 2020, voters in Santa Clara County approved Measure S, a renewal of Valley Water's Safe, Clean Water Program. The Program was first passed by voters in 2000 as the Clean, Safe Creeks and Natural Flood Protection Plan, then again in 2012 as the Safe, Clean Water and Natural Flood Protection Program.

The Safe, Clean Water Program was developed to allow for adjustments to projects as needed over the course of the Program, to track and ensure that key performance indicators (KPIs) for the Program's projects are delivered. The voter-approved measure allows the Board of Directors (Board) to direct that proposed projects in the Program be modified or not implemented depending upon a number of factors, including federal and state funding limitations and the analysis and results of environmental reviews and permitting by state and federal regulatory agencies. However, the measure requires that the Board first hold a formal, public hearing on the matter, which will be noticed by publication and notification to interested parties, before making any decision to modify or not implement a project. Resolution No. 20-64, Section N.

Valley Water follows an established, Board-approved Change Control Process ~~when the Board is considering whether to adjust, modify, or not implement a~~ on how proposed ~~project adjustments, modifications or non-implementation of projects~~ in the Program will be considered. This Change Control Process was originally developed and approved as part of the 2012 Program and has been updated several times to incorporate feedback and direction from the Board, to address audit recommendations, and to align with the latest current Program ~~after its approval~~ approved by the voters in 2020.

3. DEFINITIONS

The Change Control Process distinguishes between the following three types of changes to projects in the Safe, Clean Water Program:

Adjustments: Changes to the Safe, Clean Water Program's project text, ~~schedule, and/~~ 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.

Modifications: Changes to project KPIs description, project KPI, or funding ~~allocations~~ allocation that impact the delivery of any project KPI.

Non-Implementation: ~~Decisions~~ A decision by the Board to not ~~to~~ implement a project.



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Table 1 Types of Changes

Types of Changes	Adjustments	Modifications / Non-Implementation
<u>Project Text or KPI Text</u>	Edits to <u>project description</u> text to correct errors, <u>incorporate</u> information/data updates, <u>and/or improve</u> overall readability, <u>or edits to KPI text to clarify a project KPI to be consistent with the project description in the Program.</u>	Changes to <u>project description or KPI that will impact delivery of any project's KPIs in the Program.</u>
Schedule	<u>Adjustments/Changes</u> to project schedules provided for each 15-year funding cycle of the Program	
Funding	Fiscal Year budget adjustments and changes to project funding allocations that do not impact any project KPIs in the Program.	Changes to <u>project</u> funding allocations that will impact <u>delivery of any project's KPIs in the Program.</u>

By distinguishing between project adjustments and modifications, Valley Water can clearly define the project changes that trigger the requirement for a public hearing: under the Safe, Clean Water Program measure. Additionally, by identifying the processes/process for making adjustments and formalizing a clear process for annual public hearings, Valley Water can implement the Safe, Clean Water Program as intended. The following Section 4, Change Control Process Framework, describes the processes by which Valley Water will consider and make decisions on whether to adjust, modify, or not implement a project within the Program.

4. CHANGE CONTROL PROCESS FRAMEWORK

When staff is considering proposing a change to a project in the Program, staff will evaluate whether the proposed change is an adjustment or a modification based on the above definitions. Section 4A describes the process for making project adjustments. Section 4B describes the process for making project modifications or deciding not to implement a project, both of which require public hearings pursuant to the approved measure.

A. Process for Adjustments

After determining that an adjustment to a project may be necessary, staff will provide the analysis and recommendations to the Board, and the Board will provide direction based on staff's analysis and input from the community or others who might be interested in the project. Adjustments to the Program will be made by the Board and the changes will be reflected in the annual report; for the year the adjustment was made, the then-current five-year implementation plan; via addendum, the subsequent five-year plans, and the Program web page. Table 2 outlines the processes for making adjustments to the Program.



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Table 2 outlines the processes for making adjustments to the Program.



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Table 2 Process for Adjustments

<p><u>Project Text or KPI</u> Text: Edits to <u>project description</u> text to correct errors, <u>incorporate</u> information/data updates, <u>and/or improve</u> overall readability, <u>or edits to KPI text to clarify a project KPI to be consistent with the project description in the Program.</u></p>	<ol style="list-style-type: none"> 1. Board approval will be sought at the time the Program Annual Report (Annual Report) is presented for approval. 2. Board-approved adjustments to text will be reflected in the annual report, the <u>then-current</u> Safe, Clean Water Program five-year implementation plan (five-year implementation plan;) via addendum, the subsequent five-year plans, and the Program web page.
<p>Schedule: Adjustments to project schedules provided for each 15-year funding cycle of the Program</p>	<ol style="list-style-type: none"> 1. Capital project schedules will be approved by the Board through the adoption of the Capital Improvement Program (CIP) Five-Year Plan or at the end of the fiscal year. 2. All schedule adjustments, including those approved through the CIP Five-Year Plan, will be presented to the Board at the end of the fiscal year. 3. Schedule comparison of the original project schedule provided for each 15-year funding cycle of the Program to the project's current schedule will be included in the annual report 4. The adjustments will be included in the <u>then-current</u> five-year implementation plan; via addendum, the subsequent five-year plans, and the Program web page.
<p>Funding: Fiscal Year budget adjustments and changes to project funding allocations that do not impact any project deliverables in the Program</p>	<ol style="list-style-type: none"> 1. Comply with Valley Water processes for budget adjustments. 2. Approval for changes to project appropriations per the Program Report, Appendix E, will follow Valley Water's annual budget process, with analysis provided as to the impact on the overall program fund to ensure that any project KPIs in the Program will not be impacted. 3. Annual and Cumulative Financial Summary information will be included in the Annual Report. 4. All funding allocation adjustments, including those approved through the CIP Five-Year Plan, will be included in the <u>then-current</u> five-year implementation plan; via addendum, the subsequent five-year plans, and the Program web page.



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B. Process for Modifications and Non-Implementation

Table 3 outlines the process for making modifications or non-implementation decisions. A more detailed description of the steps to implement this process is provided below.

<p>Text:</p> <p>Changes to <u>aproject description or KPI that will impact delivery of any project's KPIs in the Program.</u></p>	<p>1. Public hearing.</p> <p>2. Approved modifications will be included in the annual report, the <u>then-current</u> five-year implementation plan, via addendum, the subsequent five-year plans, and the</p> <p><u>2.</u> Program web page.</p>
<p>Funding: Changes to project funding allocations that will impact <u>delivery of any project's KPIs in the Program.</u></p>	<p>1. Public hearing.</p> <p>2. Approved modifications will be included in the annual report, the current five-year implementation plan, via addendum, the subsequent five-year plans, and the</p> <p><u>2.</u> Program web page.</p>
<p>Decision to not implement a project.</p>	<p>1. Public hearing.</p> <p>2. Approved non-implementation of a project will be included in the <u>in the</u> annual report, the <u>then-current</u> five-year implementation plan, via addendum, the subsequent five-year plans, and the</p> <p><u>2.</u> Program web page.</p>

1) Public Hearing: Process and Timeline

- a. Once staff determines that a project modification or non-implementation may be necessary, staff will consider options and perform analysis on the proposed modification and options.
- b. Staff will present their analysis and the proposed modification ~~at~~ to the Board as a regular agenda item for preliminary assessment. This initial Board meeting: is not the public hearing itself, but rather a forum for Board discussion and initial public comment. The Board will discuss and receive ~~public~~ public comments during ~~the~~ this initial meeting. ~~The~~ Staff's analysis will likely include a financial analysis, an impact assessment on project KPI(s), proposed options to mitigate the impacts on projects if feasible, along with the justifications for the recommended changes. Before presenting the analysis to the Board, staff may bring the information to relevant Board committees, as appropriate, for input.
- c. After Board discussion and public input and pursuant to Board's direction, staff may (i) not move forward with proposing the modification; (ii) return to the Board with



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further analysis; or (iii) [return to the Board and](#) recommend that the Board set a public hearing date to consider the proposed [modification. The timing for the Board to set the public hearing can occur in two ways:](#)



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~~modification. The timing for the Board to set the public hearing can occur in two ways:~~

- Standard Process - In most cases, staff will return to the Board at the next regular board meeting and seek the Board's approval to set the public hearing date to occur at the following regular board meeting.
 - Expedited Process – In some instances, a decision may need to be made more expeditiously (e.g., reallocation of funding may be required to award a construction contract to avoid project delay). In such a case, staff may seek the Board's approval to set a public hearing date at the same board meeting where staff present the analysis.
- d. The Board will open the public hearing at the scheduled public hearing date and time and hear public comments. The Board will continue the public hearing without closing the public hearing.
- e. After the Board sets the public hearing date (see 1.c above) and while the public hearing is continued, staff will identify and pursue opportunities as appropriate to engage with the community and other interested parties (e.g., cities, county, community groups). These opportunities may include presenting the proposed modification at one or more Board committees (e.g., Capital Improvement Program Committee, Environmental Creek Cleanup Committee) and meeting with communities directly to answer questions and collect input. Staff will collect input gathered during these outreach meetings and provide the information to the Board as the public hearing continues.
- f. At the close of the public hearing, the Board will deliberate before making a decision on the matter.

Two timelines are available for use depending on the urgency and complexity of the proposed modification or non-implementation. The standard process, which allows extended public input, community engagement, and municipal outreach, is estimated to last 2-3 months. The expedited process will also incorporate public outreach and engagement, but the process will be shortened to take place over a period of 1-2 months.

The preferred timeframe to conduct a public hearing during each fiscal year is no later than April and before the Board's adoption of the next fiscal year budget. This timing has been established so that if the need for project modifications or non-implementation arises for multiple projects, the following is accomplished:

- Reduced costs for public notice placements in newspapers by holding one public hearing for multiple projects;
- Consistency for the community and other interested parties who wish to participate on an annual basis;



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- Acceptance or rejection of proposed modifications prior to the budget hearings, allowing for the Board’s direction to be incorporated in the next fiscal year budget; and
- An annual opportunity for project managers to propose modifications that incorporate the Board’s review of the Annual Report (November).

2) Public Hearing: Noticing and Outreach

Once the Board sets a public hearing date to consider whether to modify or not implement a project, Valley Water will provide notice of the scheduled public hearing consistent with the applicable requirements set forth in Section 12(a)¹ of the Santa Clara Valley Water District Act (District Act). Specifically, notice of the public hearing will be given by publication once per week for two consecutive weeks before the hearing, the last publication of which notice will be at least seven days before the hearing, in a newspaper of general circulation.

In addition to the above, Valley Water will implement measures to encourage public participation and expand its outreach on the public hearing if needed, including the following:

- Publications** in local papers (e.g. Vietnam Daily, El Observador, Palo Alto Daily Post, etc.)
- Online** – Posting the public hearing notice in the District News section of the website and on social media (e.g. Facebook, LinkedIn, NextDoor, and X).
- Email** – Sending E-blasts to the IMC members, the Safe, Clean Water list of interested parties, and applicable project email lists. Presentations regarding the Safe, Clean Water Program at public meetings include a Quick Response (QR) code linking to the sign-up form for email notifications.

5. CHANGE HISTORY

DATE	REV	SIGNIFICANT CHANGE	COMMENTS
FBD 10/28/25	A	Yes	Revised Safe, Clean Water Program (SCW) Change Control Process (2025) Document (Extended public hearings, public advertisement requirements and clarification of rationale for recommendations)
02/24/26	B	Yes	Revised SCW Change Control Process (refine definitions for Adjustments and Modifications and clarify associated process steps)

¹ Section 12(a) of the District Act provides the requirements for noticing public hearings for the Board’s consideration of engineer reports. Valley Water will follow a similar process for noticing public hearings for SCW Program changes.



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6. ADDENDA

APPENDIX A: Flowcharts for SCW Change Control: Public Hearing for Modifications and Non-Implementation

¹Section 12(a) of the District Act provides the requirements for noticing public hearings for the Board's consideration of engineer reports. Valley Water will follow a similar process for noticing public hearings for SCW Program changes.



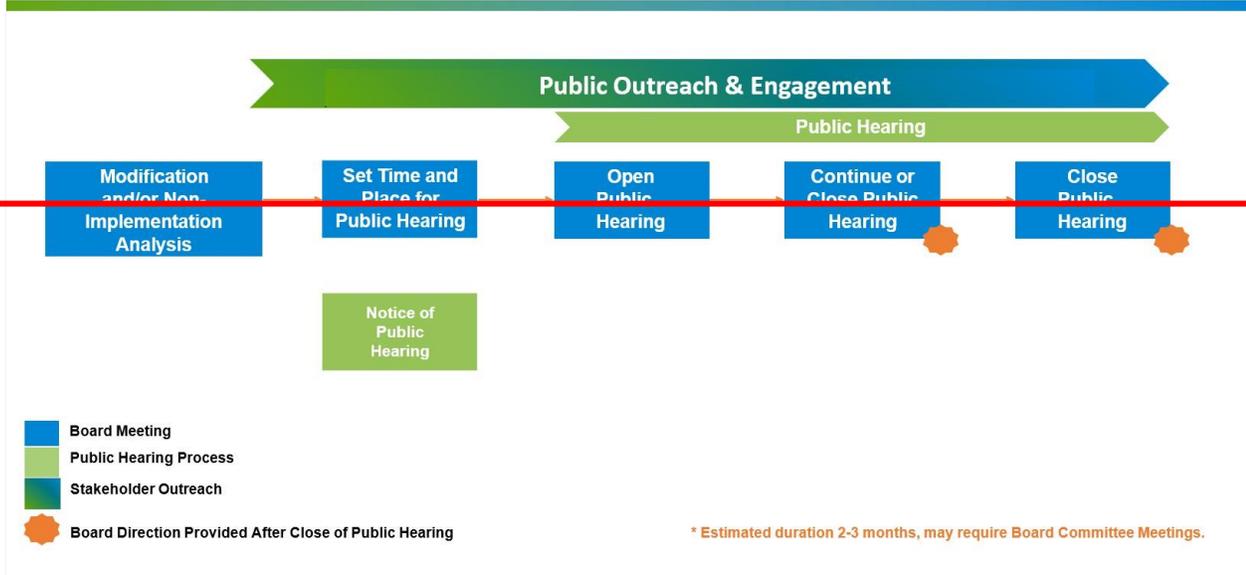
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APPENDIX A: Flowcharts for SCW Change Control: Public Hearing for Modifications and Non-Implementation

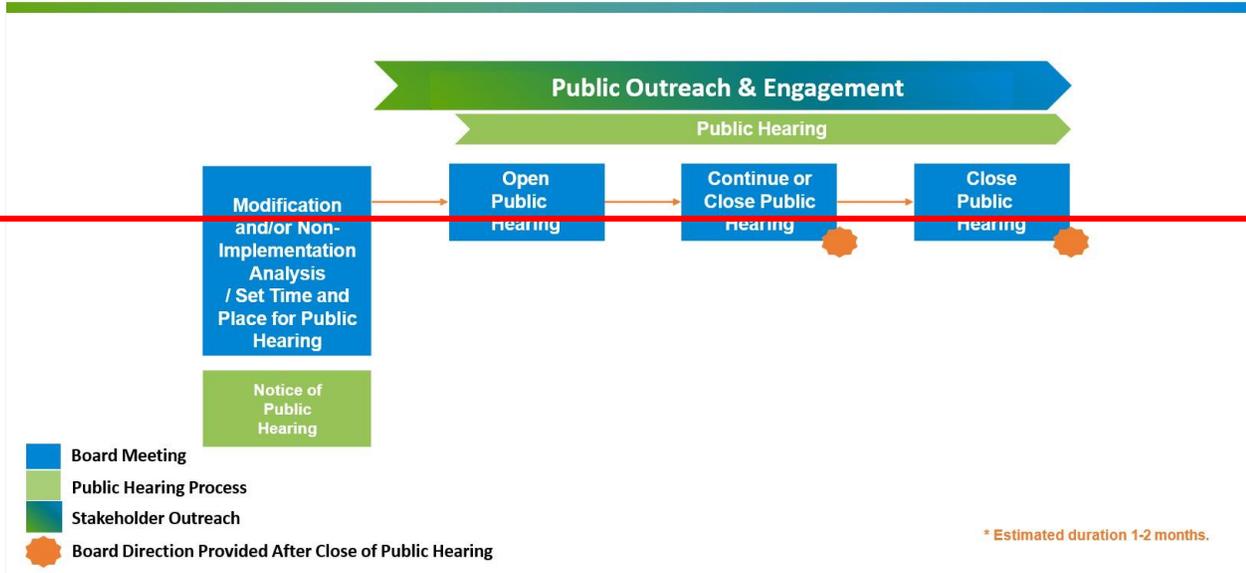
Proposed Improvements

Standard Process*

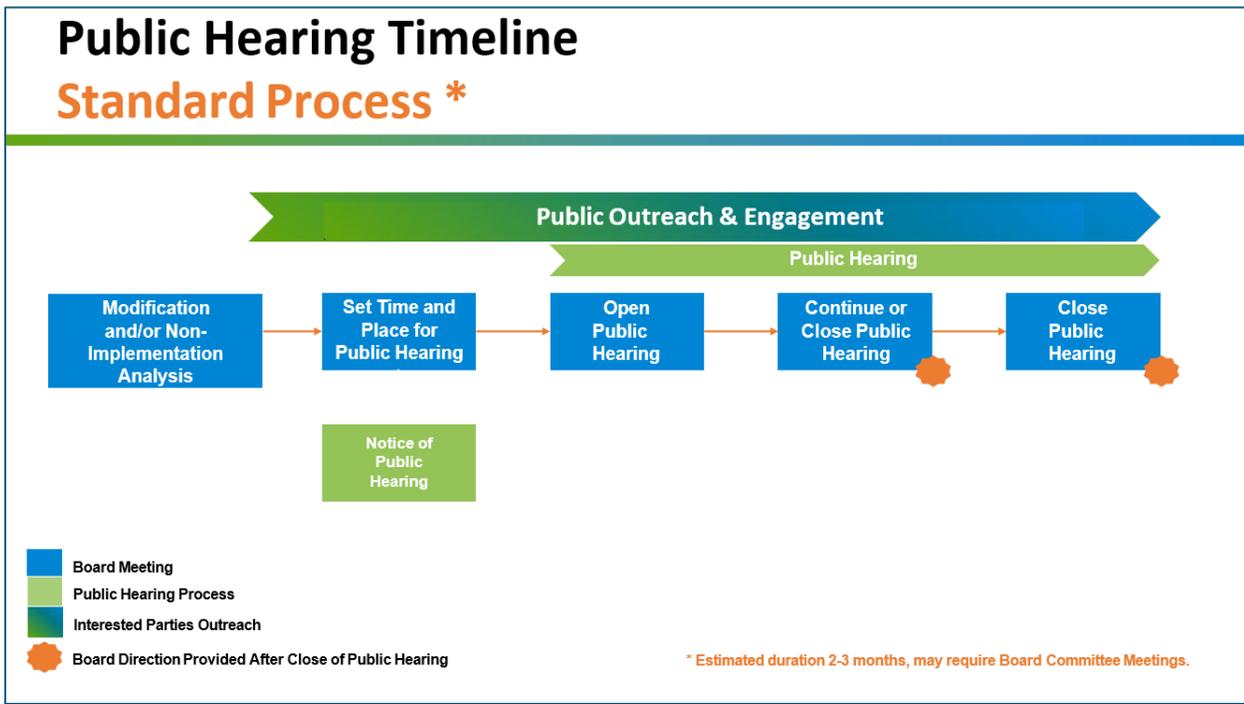


Proposed Improvements

Expedited Process*



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Public Hearing Timeline

Expedited Process *

