

Proposed Modifications to the Safe, Clean Water Program: Projects E5 and F6

*San Francisquito Creek*

Frequently Asked Questions (FAQ)

This FAQ addresses proposed modifications to two projects in the voter-approved Safe, Clean Water and Natural Flood Protection Program.

Project E5 is the San Francisquito Creek Flood Protection Project, for which Reach 2, stretching from Highway 101 upstream to the Pope-Chaucer Bridge, remains to be completed. Project F6 is the Good Neighbor Program: Graffiti and Litter Removal and Public Art, which provides countywide benefits.

General

Why is Valley Water proposing changes to these projects?

Valley Water wants to change Project E5 Key Performance Indicators (KPIs), so its performance goals align with the agency's responsibilities. An independent audit of the Safe, Clean Water Program recommended changing the KPIs so they better reflect Valley Water's role and keep the

program transparent and accountable. For Project F6, staff suggested changes to improve community benefits and better match Valley Water's goals and resources.

What role did the independent audit play?

PMA Consultants reviewed the program implementation from July 1, 2021, through June 30, 2024. Their audit identified nine findings and recommended changing certain project KPIs so they stay financially realistic, match current project activities, and clearly show what each project is supposed to deliver. The full audit report is available at tinyurl.com/SCWauditFY22-24.

The audit recommended reevaluating the KPI for Project E5. Their suggestion was to change it so it reflects Valley Water's actual role as a funding partner and as one of the five member agencies in the San Francisquito Creek Joint Powers Authority (SFCJPA), rather than holding Valley Water accountable for outcomes controlled by another agency.

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Has the Valley Water Board approved these modifications?

No. On June 23, 2026, the Board began a public hearing process after the Board Policy and Monitoring Committee (BPMC) reviewed the proposed recommendations and supported them.

The Board has not approved the proposed modifications. The public hearing will open on July 14, 2026, and continue through August 11, 2026. The Board will then decide whether to continue or close the hearing. The purpose of the public hearing is to gather community input before the Board decides whether to approve, revise, or reject the recommended modifications. The Board will make its decision after the public hearing has closed.

Why is a public hearing required?

The Safe, Clean Water Program Change Control Process requires a public hearing whenever a proposed modification affects a project's description, KPI, or funding allocation in a way that impacts KPI delivery. The hearing provides transparency and an opportunity for public participation.

Are these changes reducing Measure S funding?

No. The proposed modifications do not reduce the Safe, Clean Water Program funding allocated to either Project E5: San Francisquito Creek Flood Protection or Project F6: Good Neighbor Program: Graffiti and Litter Removal and Public Art.

Are KPIs allowed to change after voters approved Measure S?

Yes. Measure S includes a Board approved Change Control Process that allows the Board to consider modifications to the program. This process defines a modification as any change to a project's description, project KPI, or funding allocation that affects the delivery of any KPI. Any proposed modification must go through the required public process. The public hearing gives the community a chance to review the proposed modifications and share input before the Board decides.

Can the Board modify the proposed KPI based on public input?

Yes. The purpose of the public hearing is to gather comments and recommendations from the public. After reviewing that input, the Board may approve the proposal as presented, direct changes to it, or reject the proposed modifications.

How can the public participate?

Community members are encouraged to take part throughout the Change Control Process. They can submit written comments, attend Board meetings and the public hearing, and share testimony before the Board considers the proposed modifications. The Board will review all public comments before deciding whether to approve, revise, or reject the proposed modifications. While the public may suggest changes, any modifications to the Safe, Clean Water Program KPIs must be formally considered and approved by the Valley Water Board through the Change Control Process.



Project E5 : San Francisquito Creek Flood Protection

Who is responsible for delivering the San Francisquito Creek project?

The San Francisquito Creek Joint Powers Authority (SFCJPA) is responsible for planning, designing, permitting, coordinating funding, and constructing the project. Valley Water is one of five member agencies and participates according to the SFCJPA Joint Powers Agreement.

Community members who want to follow the pace or direction of the San Francisquito Creek project can attend SFCJPA Board meetings or send comments directly to the SFCJPA. Meeting schedules, agendas, and contact information are available on the [SFCJPA website](#).

Why is Valley Water proposing to modify the Project E5 KPI?

The independent performance audit found that the current KPI measures an outcome that Valley Water does not control. The San Francisquito Creek Joint Powers Authority (SFCJPA), not Valley Water, is responsible for delivering the overall project. The proposed KPI is meant

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to better match Valley Water’s actual responsibilities as one of five member agencies with equal roles, and as a funding partner.

Is Valley Water withdrawing from the San Francisquito Creek project?

No. Valley Water remains a member of the SFCJPA and continues to participate according to its responsibilities as outlined in the [SFCJPA member agreement](#). The proposal does not reduce Valley Water’s funding commitment under the Safe, Clean Water Program.

Valley Water continues to provide funding for known project elements, including the local cost share for the Newell Road Bridge Replacement. At the same time, the SFCJPA is continuing to seek additional federal, state, and local funding for the remaining project elements that are still being planned.

Does this proposal weaken Valley Water’s commitment to the project?

No. The proposal only changes how Valley Water measures its performance under Measure S; it does not change the project’s flood protection objectives, Valley Water’s participation in the project or SFCJPA partnership, or any existing funding commitments.

In fact, Valley Water’s Safe, Clean Water Program funding for Project E5 has increased over time as project costs have been refined. Since the renewed Safe, Clean Water Program began, funding for Project E5 has grown from approximately \$11.5 million to approximately \$26.3 million, showing Valley Water’s continued financial commitment to the project.

Does this proposal eliminate Valley Water’s commitment to flood protection?

No. Flood protection is still the primary purpose of the project, and this benefit is clearly stated in the proposed KPI. The proposed KPI focuses on the responsibilities Valley Water can directly measure under the Safe, Clean Water Program, rather than the overall project outcome, which is not within Valley Water’s control.

Why isn’t the proposed KPI based on flood protection outcomes?

Valley Water is not the lead agency, so it cannot independently guarantee delivery of the overall flood protection outcome. The project outcome depends on the actions of the SFCJPA and its five member Board. Valley Water holds one of five seats on the SFCJPA Board. The cities of East Palo Alto, Menlo Park, Palo Alto and One

Shoreline hold the other four seats, and they all equally share responsibility for project implementation and funding according to the current SFCJPA member agreement.

The SFCJPA is responsible for overall project planning, design, permitting, funding coordination, and construction. The proposed KPI modification, therefore, measures Valley Water’s responsibilities under Measure S rather than outcomes that depend on actions taken by all SFCJPA member agencies, each of which has one vote as a member agency.

Does the proposed KPI change Valley Water’s contractual obligations?

No. The [existing agreement](#) among the SFCJPA member agencies remains unchanged. The proposal only changes the Measure S performance metric. It does not change Valley Water’s funding responsibilities, partnership commitments, or any other responsibilities established through the existing membership agreement.

Why is Valley Water’s role different now from the lead role it took on the Reach 1 project?

Valley Water’s role as the lead for construction of Reach 1 was established in a Construction Management agreement between the SFCJPA and Valley Water in 2015 (see the San Francisquito Creek Project Timeline). There is no similar current agreement that designates Valley Water as the lead for project planning, design, or construction of Reach 2.

If the SFCJPA Board determines that it is in the best interest of the project for Valley Water to serve as the lead for any phase, agreements similar to those used for the Reach 1 project can be executed.

If members of the public want to advocate for Valley Water to have a lead role in the Reach 2 project, [SFCJPA Board meetings](#) are an appropriate venue for those public comments.



Aerial view of San Francisquito Creek

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What does 'commensurate with the project's benefits to Santa Clara County' mean?

The Safe, Clean Water Program/Measure S is a Santa Clara County voter approved special parcel tax and is fully funded by Santa Clara County taxpayers.

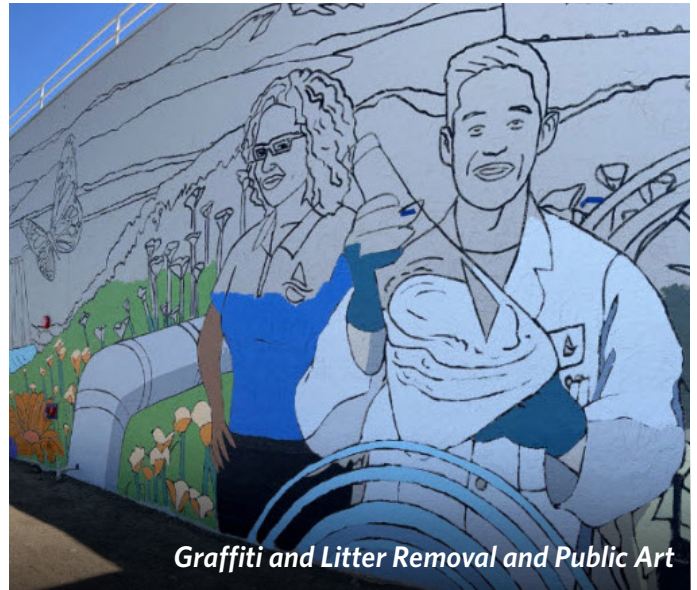
Safe, Clean Water funds are intended to provide benefits for Santa Clara County through the delivery of the program's priorities. Because of this, the proposed language recognizes that Valley Water's financial participation should be proportional to the flood protection benefits the project provides within Santa Clara County. It does not change the project's existing funding under the program or modify existing agreements among the partner agencies. It simply acknowledges that Valley Water's financial participation should align with the level of flood-protection benefits the project delivers within Santa Clara County.

Does this proposal affect Valley Water's current role or technical support?

No. The KPI addresses performance measurement only. It does not establish or eliminate technical support that may be provided through separate agreements, Board direction, or Valley Water's participation in the SFCJPA. It also does not change Valley Water's role as a member agency of the SFCJPA.

Why is Valley Water proposing this change now?

The proposal went through several steps. It began with the independent performance audit. After that, the Board directed staff to send the audit's recommended changes to the Board Policy and Monitoring Committee (BPMC) for review. Staff evaluated the audit recommendations, and the BPMC reviewed them and expressed support. With that completed, the Board then directed staff to begin the public hearing process.



Graffiti and Litter Removal and Public Art

Project F6 : Good Neighbor Program - Graffiti and Litter Removal and Public Art

What changes are proposed for the Public Art Program?

The proposal would allow Valley Water to implement or fund eligible public art projects beyond Valley Water-owned property and infrastructure, expanding accessibility and opportunities for public education about water resources and environmental stewardship while helping deter graffiti and litter.

Does this reduce graffiti removal or litter cleanup?

No. Graffiti removal, litter cleanup, fence maintenance, and related activities would continue as described in the project.

Why expand public art beyond Valley Water property?

The proposed change is intended to increase community benefit, public engagement, improve program feasibility, and better align the program with Valley Water's strategic goals and available resources.

CONTACT US

To find out the latest information on Valley Water projects or to submit questions or comments, use our **Access Valley Water** customer request system at access.valleywater.org.



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