



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/APPEDED CLOSED SESSION AND REGULAR MEETING AGENDA**

**Tuesday, August 12, 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.

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Santa Clara Valley Water District Board of Directors

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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 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=ToJpYCxXm0>

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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 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

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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. (ITEM REMOVED FROM THE AGENDA)**

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL, PENDING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Amanda Aguirre, et al. v. Santa Clara Valley Water District

(Santa Clara County Superior Court Case No. 23CV415312)

2.2. CLOSED SESSION

[25-0678](#)

THREAT TO PUBLIC SERVICES OR FACILITIES

Pursuant to Government Code Section 54957(a)

2.3. CLOSED SESSION

[25-0609](#)

CONFERENCE WITH LEGAL COUNSEL, INITIATION OF LITIGATION

Pursuant to Government Code Section 54956.9(d)(4)

One potential case

***2.4. CLOSED SESSION**

[25-0701](#)

PUBLIC EMPLOYEE DISCIPLINE

Pursuant to Government Code Section 54957(b)(1)

***2.5. CLOSED SESSION**

[25-0702](#)

CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION

Significant Exposure to Litigation
Government Code Section 54956.9(d)(2)
Multiple potential cases

- *2.6. CLOSED SESSION [25-0685](#)
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: District Counsel
Pursuant to Government Code Section 54957(b)(1)

- *2.7. CLOSED SESSION [25-0679](#)
CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6(a)
Agency Designated Representatives: M. Richardson, T. Yoke, P. McElroy,
A. Lee, E. Meeks, J. Carlos Orellana, L. Mason, E. Kreisberg
Employee Organizations: Employees Association, Engineers Society,
Professional Managers Association
Unrepresented Employees: All Valley Water Unclassified Positions
(*Previously listed as Item 2.4)

- *2.8. District Counsel Report on Closed Session.
(*Previously listed as Item 2.5)

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. Receive an Update on the Issuance of Water System Refunding Bonds in an Aggregate Not-to-Exceed Amount of \$520 Million and Adopt a Resolution Approving the Form of a Preliminary Official Statement. [25-0587](#)

- Recommendation:
- A. Receive an update on the issuance of Water System Refunding Revenue Bonds in an aggregate not-to-exceed amount of \$520 Million; and
 - B. Adopt the Resolution APPROVING THE FORM OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE ISSUANCE OF WATER SYSTEM REFUNDING REVENUE BONDS AND CERTAIN ACTS IN CONNECTION THEREWITH.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: Resolution](#)
[Attachment 2: WU Preliminary Official Statement](#)
[Attachment 3: PowerPoint](#)

Est. Staff Time: 30 Minutes.

REGULAR AGENDA:

4. CONSENT CALENDAR: (4.1 - 4.7) (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 Declaring a Portion of Real Property Owned by the Santa Clara Valley Water District as Exempt Surplus Land, Making Responsible Agency Findings Under the California Environmental Quality Act, and Authorize Conveyance of Real Property Interest to the City of Milpitas; Authorize the Interim Chief Executive Officer to Negotiate and Execute a Purchase and Sale Agreement for the South Milpitas Vehicular Bridge Project, APN No. 086-37-018, Real Estate File No. 4049-6.1 (Milpitas, District 3).

[25-0563](#)

- Recommendation:
- A. Consider the potential environmental effects of the project as discussed in the Initial Study/ Mitigated Negative Declaration for the South Milpitas Boulevard Bridge Project;
 - B. Adopt a Resolution DECLARING A PORTION OF REAL PROPERTY OWNED BY THE SANTA CLARA VALLEY WATER DISTRICT (APN 086-37-018) AS EXEMPT SURPLUS LAND UNDER CALIFORNIA GOVERNMENT CODE 54221 (f)(1)(D), DETERMINING

THAT THE REAL PROPERTY TO BE TRANSFERRED IS NOT REQUIRED FOR VALLEY WATER USE, CONSIDERING THE MITIGATED NEGATIVE DECLARATION FOR THE SOUTH MILPITAS BOULEVARD BRIDGE PROJECT AND MAKING RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND AUTHORIZING THE CONVEYANCE OF REAL PROPERTY TO THE CITY OF MILPITAS PURSUANT TO SECTION 31(D) OF THE DISTRICT ACT (MILPITAS, DISTRICT 3);

- C. Authorize the Interim Chief Executive Officer to negotiate and execute the Purchase and Sale Agreement between the City of Milpitas and Santa Clara Valley Water District, for the conveyance of real property interest located in Penitencia East Channel, in substantially the same form as the attached draft based upon the terms and conditions as set forth in the Agreement; and
- D. Authorize the Interim Chief Executive Officer to negotiate and execute the Grant Deed to the City of Milpitas in substantially the same form as the attached draft, Real Estate File No. 4049.

Manager: Lisa Bankosh, 408-630-2618

Attachments: [Attachment A: Gov. Code 84308](#)

[Attachment 1: Project Map](#)

[Attachment 2: Resolution](#)

[Attachment 3: Agreement](#)

[Attachment 4: IS/MND](#)

- 4.2. Adopt Plans and Specifications and Authorize Advertisement for Bids for the South County Recycled Water Pipeline Phase 1C Project, Project No. 91094009, Contract No. C0723 (Gilroy, Unincorporated Santa Clara County, District 1). [25-0622](#)

- Recommendation:
- A. Adopt the plans and specifications and authorize advertisement for bids for the construction of the South County Recycled Water Pipeline Phase 1C Project per the Notice to Bidders; and
 - B. Authorize the Designated Engineer to issue addenda, as necessary, during bidding process.

Manager: Emmanuel Aryee, 408-630-3074

Attachments: [Attachment 1: Notice to Bidders](#)
[Attachment 2: Project Delivery Chart](#)
[Attachment 3: Map](#)
[Attachment 4: Plans](#)
[Attachment 5: Specifications](#)

- 4.3. Approve a Sole Source Designation, Adopt Plans and Specifications and [25-0593](#)
Authorize Advertisement for Bids for the Penitencia Water Treatment Plant
Residuals Management Project, Project No. 93234044, Contract No.
C0711 (San Jose, District 3).

Recommendation:

- A. Find that the Penitencia Water Treatment Plant Residuals Management Project is substantially complex and, therefore, requires construction contract retention of ten percent (10%);
- B. Find that certain Supervisory Control and Data Acquisition (SCADA), electrical, and instrumentation components should be designated as sole source products to match other products already in use at the Penitencia Water Treatment Plant. Public Contract Code Section 3400(c)(2);
- C. Adopt the Plans and Specifications and Authorize Advertisements for Bids for construction of the Penitencia Water Treatment Plant Residuals Management Project per the Notice to Bidders; and
- D. Authorize the Designated Engineer to issue addenda, as necessary, during the bidding process.

Manager: Emmanuel Aryee, 408-630-3074

Attachments: [Attachment 1: Notice to Bidders](#)
[Attachment 2: Project Delivery Chart](#)
[Attachment 3: Map](#)

- 4.4. Adopt Recommended Positions on State Legislation: AB 454 (Kalra) [25-0037](#)
Migratory Birds: California Migratory Bird Protection Act, SB 650
(Cabaldon) The Sacramento-San Joaquin Delta Reform Act of 2009, and
Other Legislation Which May Require Urgent Consideration for a Position
by the Board.

Recommendation:

- A. Adopt a position of "Support" on: AB 454 (Kalra) Migratory Birds: California Migratory Bird Protection Act; and
- B. Adopt a position of "Support" on: SB 650 (Cabaldon) The Sacramento-San Joaquin Delta Reform Act of 2009.

Manager: Joshua Golka, 408-630-4508

- 4.5. Consider and Approve Appointments to the Safe, Clean Water and [25-0617](#)

Natural Flood Protection Independent Monitoring Committee.

Recommendation: Consider and approve appointments to the Safe, Clean Water and Natural Flood Protection Independent Monitoring Committee.

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

Attachments: [Attachment 1: SCVWD Resolution No. 21-10](#)
[Attachment 2: Laguna Application, Redacted](#)
[Attachment 3: Pollock Application, Redacted](#)

- *4.6. Accept the CEO Bulletins for the Weeks of July 4, 2025 through August 7, 2025. [25-0654](#)

Recommendation: Accept the CEO Bulletin.

Manager: Melanie Richardson, 408-630-2017

Attachments: [Attachment 1: 07172025 CEO Bulletin](#)
[*Attachment 2: 08072025 CEO Bulletin](#)

- 4.7. Approval of Minutes. [25-0650](#)

Recommendation: Approve the minutes.

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

Attachments: [Attachment 1: 06242025 CS and Regular Meeting Minutes](#)
[Attachment 2: 07082025 CS and Regular Meeting Minutes](#)
[Attachment 3: 07212025 CS and Special Meeting Minutes](#)

5. BOARD OF DIRECTORS:

- *5.1. Board Committee Reports. [25-0672](#)

Attachments: [*Handout 5.1-A: 04092025 SCVWC, Summary](#)
[*Handout 5.1-B: 06092025 BPMC, Summary](#)
[*Handout 5.1-C: 06112025 SPOC, Summary](#)
[*Handout 5.1-D: 06172025 BAC, Summary](#)
[*Handout 5.1-E: 06232025 WSDMC, Summary](#)
[*Handout 5.1-F: 06252025 RWC, Summary](#)
[*Handout 5.1-G: 07072025 AWAC, Summary](#)

Est. Staff Time: 5 Minutes.

- *5.2. Consider the June 9, 2025, Board Policy and Monitoring Committee Recommendation to Adopt the Encroachment Licensing Program Update to the Water Resources Protection Ordinance and Associated Implementation Policy. [25-0558](#)

- Recommendation: Consider the recommendation resulting from the June 9, 2025, Board Policy and Management Committee to:
- A. Adopt the updated Water Resources Protection Ordinance to include the Encroachment Licensing Program; and
 - B. Approve the Encroachment Remediation Implementation Policy

Manager: Lisa Bankosh, 408-630-2618

Attachments: [*Attachment 1: Water Resources Protection Ordinance](#)
[*Attachment 2: Proposed WRPO, Redlined](#)
[*Attachment 3: Proposed WRPO, Clean](#)
[*Attachment 4: Proposed Implementation Policy](#)
[*Attachment 5: PowerPoint](#)

Est. Staff Time: 20 Minutes.

6. WATER UTILITY ENTERPRISE:

7. WATERSHEDS:

- 7.1. Approve a Portion of Santa Clara Valley Water District's Fiscal Year 2025-26 Annual Member Contribution to the San Francisquito Creek Joint Powers Authority Operating Budget for "Operations/Administration and Reserves" in the Amount of \$329,097.18 (Palo Alto, District 7). [25-0627](#)

Recommendation: Approve a portion of Santa Clara Valley Water District's Fiscal Year 2025-2026 annual member contribution to the San Francisquito Creek Joint Powers Authority operating budget for "Operations/Administration and Reserves" in the amount of \$329,097.18.

Manager: Christopher Hakes, 408-630-3796

Attachments: [Attachment 1: Agreement](#)
[Attachment 2: 06262025 SFCJPA Board Agenda Item 6.A](#)
[Attachment 3: SFCJPA FY25-26 Contribution Invoice Package](#)

Est. Staff Time: 5 Minutes.

- 7.2. Receive Report of Bids, Ratify Addenda, Approve the Contingency Fund, and Award the Construction Contract to GSW Construction, Inc. for the Palo Alto Flood Basin Tide Gate Structure Seismic Retrofit and Rehabilitation Project, Project No.10394001, Contract No. C0710 in the sum of \$2,782,645.00 (Palo Alto, District 7). [25-0626](#)

Recommendation: A. Ratify Addendum Nos. 1, 2 and 3 to the Contract Documents for the Palo Alto Flood Basin Tide Gate Structure Seismic Retrofit and Rehabilitation Project
B. Award the Construction Contract to GSW Construction,

Inc. located in San Francisco, CA, in the sum of \$2,782,645.00; and

- C. Approve a contingency sum of 15% in the amount of \$417,396.75 and authorize the Chief Executive Officer or designee to approve individual change orders up to the designated amount.

Manager: Bhavani Yerrapotu, 408-630-2735

Attachments: [Attachment 1: Map](#)
[Attachment 2: Addenda 1, 2 and 3](#)
[Attachment 3: Project Delivery Chart](#)

Est. Staff Time: 5 Minutes.

8. ASSISTANT CHIEF EXECUTIVE OFFICER:

- 8.1. Approve Agreement A5464A with GEI Consultants, Inc., for Construction Management Services for the Anderson Dam Seismic Retrofit Project, Project No. 91864005, for a Not-to-Exceed fee of \$180,717,246 (Morgan Hill, District 1). [25-0534](#)

Recommendation: Approve Agreement A5464A with GEI Consultants, Inc., for Construction Management Services for the Anderson Dam Seismic Retrofit Project, for a not-to-exceed fee of \$180,717,246.

Manager: Ryan McCarter, 408-630-2983

Attachments: [Attachment A: Gov. Code 84308](#)
[Attachment 1: Agreement](#)

Est. Staff Time: 5 Minutes.

9. EXTERNAL AFFAIRS:

10. CHIEF EXECUTIVE OFFICER:

- 10.1. Approve the Central Fiscal Year 2024-25 Year-End and Fiscal Year 2025-26 Budget Adjustments. [25-0568](#)

Recommendation: Approve the Central Fiscal Year 2024-25 Year-End and Fiscal Year 2025-26 Budget Adjustments.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: SCVWD Resolution No. 25-41](#)
[Attachment 2: FY24-25 and FY25-26 Central Budget Adjustments](#)

Est. Staff Time: 10 Minutes.

- *10.2. CEO and Chiefs' Reports. [25-0670](#)

Attachments: [*Handout 10.2-A: OCE, Monthly Update](#)
 [*Handout 10.2-B: OGR, Summary](#)
 [*Handout 10.2-C: Watersheds O&M, Report](#)

11. ADMINISTRATION:

12. DISTRICT COUNSEL:

13. BOARD POLICY PLANNING CALENDAR/PROPOSED FUTURE BOARD AGENDA ITEMS:

13.1. Review the Fiscal Year 2026 Board Policy Planning Calendar. [25-0508](#)

Recommendation: Review the Fiscal Year 2026 Board Policy Planning Calendar.

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

Attachments: [Attachment 1: FY26 Board Calendar](#)

Est. Staff Time: 5 Minutes.

14. BOARD MEMBER REPORTS/ANNOUNCEMENTS:

15. CLERK REVIEW AND CLARIFICATION OF BOARD REQUESTS:

16. ADJOURN:

16.1 The Board will convene for the Special Joint meeting with the City of San Jose at 3:00 p.m. on Tuesday, August 19, 2025, at 200 E. Santa Clara St, Wing Rooms, San Jose, California, and via Live YouTube broadcast.