



## 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 REGULAR MEETING AGENDA**

**Tuesday, February 24, 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](http://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**

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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](mailto:clerkoftheboard@valleywater.org) or [board@valleywater.org](mailto: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 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://emmsa.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

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

[26-0213](#)

\*2.2. CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: District Counsel

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

[26-0243](#)

\*2.3. District Counsel Report on Closed Session.

(\*Previously listed as Item 2.2)

**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. Recognition of Director Tony Estremera for 30 Years of Service on the Santa Clara Valley Water District Board.

- 3.5. Approve Proposed Updates to the Change Control Process for the Safe, Clean Water and Natural Flood Protection Program. [26-0194](#)

Recommendation: Approve staff’s proposed updates to the Change Control Process for the Safe, Clean Water and Natural Flood Protection Program.

Manager: Luz Penilla, 408-630-2228

Attachments: [Attachment 1: Resolution No. 20-64](#)  
[Attachment 2: Existing Board-Approved Change Control Process](#)  
[Attachment 3: Draft Revised Change Control Process, Redlined](#)  
[Attachment 4: Draft Revised Change Control Process, Clean](#)  
[Attachment 5: Change Control Process At-A-Glance, Updated](#)  
[Attachment 6: PowerPoint](#)

Est. Staff Time: 20 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 Adopting the Final Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and Approve the Guadalupe Riverbank Stabilization Project: Malone Road and Blossom Hill Road, Under the Watersheds Asset Rehabilitation Program, Project No. 62084001 (San Jose, Districts 2 and 4). [26-0082](#)

- Recommendation:
- A. Consider the environmental effects of the Guadalupe Riverbank Stabilization Project: Malone Road and Blossom Hill Road as discussed in the Final Initial Study/Mitigated Negative Declaration;
  - B. Adopt the Resolution ADOPTING THE FINAL INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION AND THE MITIGATION MONITORING AND REPORTING PROGRAM FOR THE GUADALUPE RIVERBANK STABILIZATION PROJECT: MALONE ROAD AND BLOSSOM HILL ROAD; and
  - C. Approve the Project.

Manager: Bhavani Yerrapotu, 408-630-2735

Attachments: [Attachment 1: Final IS/MND](#)  
[Attachment 2: Resolution](#)  
[Attachment 3: Project Delivery Process Chart](#)

- 4.2. Adopt Recommended Positions on Federal Legislation: S. 3693 (Cortez Masto) - Large-Scale Water Recycling Program Reauthorization Act; H.R. 4593 (Fry) - Saving Homeowners from Overregulation With Exceptional Rinsing (SHOWER) Act; H.R. 6641 (Gray) - Central Valley Water Solution Act; H.R. 6984 (Menendez) - Data Center Transparency Act; H.R. 5566 (Carbajal) / S. 3590 (Blunt Rochester) - Water Infrastructure Resilience and Sustainability Act; And Other Legislation That May Require Consideration by the Board. [25-1052](#)

- Recommendation:
- A. Adopt a Position of "Support" on S. 3693 (Cortez Masto) - Large-Scale Water Recycling Program Reauthorization Act;
  - B. Adopt a Position of "Oppose" on H.R. 4593 (Fry) - Saving Homeowners from Overregulation With Exceptional Rinsing (SHOWER) Act;
  - C. Adopt a Position of "Support" on H.R. 6641 (Gray) - Central Valley Water Solution Act;
  - D. Adopt a Position of "Support" on H.R. 6984 (Menendez) - Data Center Transparency Act; and
  - E. Adopt a Position of "Support" on H.R. 5566 (Carbajal) /

S. 3590 (Blunt Rochester) - Water Infrastructure Resilience and Sustainability Act.

Manager: Marta Lugo, 408-630-2237

- 4.3. Authorize the Chief Executive Officer to Execute the Exclusive Negotiations Agreement Among Santa Clara Valley Water District, the City of San Jose, and the City of Santa Clara, for Real Property to Develop the Proposed Pure Water Silicon Valley Project. [26-0189](#)

Recommendation: Authorize the Chief Executive Officer to execute the Exclusive Negotiations Agreement among Santa Clara Valley Water District, the City of San Jose, and the City of Santa Clara, for Real Property to develop the proposed Pure Water Silicon Valley Project.

Manager: Kirsten Struve, 408-630-3138

Attachments: [Attachment 1: Agreement](#)

- 4.4. Approve the Board of Directors' Quarterly Expense Report for the Quarter Ending September 30, 2025. [26-0180](#)

Recommendation: A. Review the Board of Directors' Quarterly Expense Report for the quarter ending September 30, 2025; and  
B. Approve the Report if the reimbursements comply with Board Policy.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: Quarterly Expense Report](#)

- 4.5. Accept the Work as Complete and Direct the Clerk to File the Notice of Completion of Contract and Acceptance of Work for the South Babb Creek Flood Mitigation Project, Under the Watersheds Asset Rehabilitation Program, Granite Rock Company, Contractor, Project No. 62084001, Contract No. C0716 (San Jose, District 6). [26-0077](#)

Recommendation: A. Accept the work as complete on the South Babb Creek Flood Mitigation Project, under the Watersheds Asset Rehabilitation Program, Project No. 62084001, Contract No. C0716 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: Bhavani Yerrapotu, 408-630-2735

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](#)

\*4.6. Accept the CEO Bulletin for the Weeks of February 6 - 19, 2026. [26-0211](#)

Recommendation: Accept the CEO Bulletin.

Manager: Melanie Richardson, 408-630-2017

Attachments: [\\*Attachment 1: 02192026 CEO Bulletin](#)

\*4.7. Approval of Minutes from January 27 and January 29, 2026. [26-0079](#)

Recommendation: Approve the minutes from January 27 and January 29, 2026.

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

Attachments: [\\*Attachment 1: 01272026 Meeting Minutes](#)  
[\\*Attachment 2: 01292026 Special Meeting Minutes](#)

## 5. BOARD OF DIRECTORS:

\*5.1. Adopt a Resolution Appointing an Interim CEO and Authorizing the Associated Compensation. [26-0214](#)

Recommendation: \*Adopt the Resolution APPOINTING THE INTERIM CHIEF EXECUTIVE OFFICER, AN UNCLASSIFIED EMPLOYEE, APPOINTED BY THE BOARD OF DIRECTORS OF THE SANTA CLARA VALLEY WATER DISTRICT AND APPROVING THE COMPENSATION AMOUNT.

Manager: Patrice McElroy, 408-630-3159

Attachments: [\\*Original Board Agenda Memorandum](#)  
[\\*Supplemental Board Agenda Memorandum](#)  
[\\*Supplemental Attachment 1: Resolution](#)

Est. Staff Time: 5 Minutes.

5.2. Receive the Semi-Annual Lobbyist Report and Annual Registration of Individuals Engaged in Compensated Lobbying Activities for the period July 1, 2025, through December 31, 2025. [26-0159](#)

Recommendation: Receive the Semi-Annual Lobbyist Report and Annual Registration of Individuals Engaged in Compensated Lobbying Activities for the period July 1, 2025, through December 31, 2025.

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

Attachments: [Attachment 1: Lobbyist Report](#)

Est. Staff Time: 5 Minutes.

\*5.3. Board Committee Reports. [26-0210](#)

Attachments: [\\*Handout 5.3-A: 12162025 RWC, Summary](#)

[\\*Handout 5.3-B: 01212026 BAC, Summary](#)

[\\*Handout 5.3-C: 02252026 RWC, Agenda](#)

Est. Staff Time: 5 Minutes.

\*5.4. Consider the February 18, 2026, Board Audit Committee [26-0190](#)

Recommendation to Initiate a Request-For-Proposal for a New Chief Audit Executive Agreement to Replace the Current Agreement Which Expires on November 22, 2026.

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

- A. Initiate a Request-For-Proposal for a new Chief Audit Executive agreement to replace the current agreement, which expires on November 22, 2026; and
- B. Provide feedback and recommendations to staff as necessary.

Manager: Darin Taylor, 408-630-3068

Est. Staff Time: 10 Minutes.

\*5.5. Consider the January 21, 2026, Board Audit Committee Recommendation [26-0203](#)

to Accept the Water Conservation Program Performance Audit Final Report with Management Responses.

Recommendation: Consider recommendations resulting from the January 21, 2026, Board Audit Committee meeting to:

- A. Accept the 2025 Water Conservation Program Performance Audit Report with Management Response; and
- B. Provide feedback and recommendations to staff as necessary.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: Audit Report, with Management Responses](#)

[Attachment 2: PowerPoint](#)

Est. Staff Time: 10 Minutes.

**6. WATER UTILITY ENTERPRISE:**

6.1. Receive Report of Bids, Ratify Addenda, Approve the Contingency Fund, [25-1022](#)

and Award the Construction Contract to J.F. Shea Construction, Inc., for the Almaden Valley Pipeline Replacement Project - Phase 1, Project No. 92304001, Contract No. C0714, in the Sum of \$77,875,209 (San Jose, Unincorporated Santa Clara County; Districts 1, and 7).

- Recommendation:
- A. Ratify Addenda No(s). 1, 2, 3, 4, 5, and 6 to the Contract Documents for the Almaden Valley Pipeline Replacement Project - Phase 1;
  - B. Award the Construction Contract to J.F. Shea Construction, Inc., located in Walnut, CA, in the sum of \$77,875,209; and
  - C. Approve a contingency sum of \$11,681,281 and authorize the Chief Executive Officer or designee to approve individual change orders up to the designated amount.

Manager: Emmanuel Aryee, 408-630-3074

Attachments: [Attachment 1: Project Delivery Process Chart](#)  
[Attachment 2: Project Map](#)

Est. Staff Time: 5 Minutes.

**7. WATERSHEDS:**

**8. ASSISTANT CHIEF EXECUTIVE OFFICER:**

**9. EXTERNAL AFFAIRS:**

**10. CHIEF EXECUTIVE OFFICER:**

- 10.1. Receive and Approve the Mid-Year Operating and Capital Budget Adjustments to the Fiscal Year 2025-26 Rolling Biennial Adopted Budget. [26-0075](#)

Recommendation: Approve the Mid-Year Operating and Capital Budget Adjustments to the Fiscal Year 2025-26 Rolling Biennial Adopted Budget.

Manager: Darin Taylor, 408-630-3068

Attachments: [Attachment 1: FY25-26 Mid-Year Budget Adjustments, 1 - 4](#)  
[Attachment 2: FY25-26 Mid-Year Budget Adjustments, 5](#)  
[Attachment 3: Resolution No. 2025-41](#)

Est. Staff Time: 5 Minutes.

- \*10.2 CEO and Chiefs' Reports. [26-0212](#)

Attachments: [\\*Handout 10.2-A: Grants, Bi-Monthly Update](#)

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 2026 Board Policy Planning Calendar.

[25-0916](#)

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 next Regular meeting at 1:00 p.m. on Tuesday, March, 10, 2026, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California, and via Zoom teleconference.