



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>

CLOSED SESSION AND REGULAR MEETING AGENDA

**Tuesday, September 23, 2025
11:00 AM**

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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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=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 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 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

[25-0797](#)

CONFERENCE WITH LEGAL COUNSEL INITIATION OF LITIGATION

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

Three potential cases.

2.2. CLOSED SESSION

[25-0806](#)

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

2.3. 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 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 Informational Presentation from the County of Santa Clara on Actions Related to Federal Budget Cuts and Consider Taking a Position on Measure A.

[25-0805](#)

Recommendation: A. Receive an informational presentation from County of Santa Clara (County) staff on the County's actions and response to federal budget cuts; and
B. Consider taking a position on Measure A.

Manager: Marta Lugo, 408-630-2237

Est. Staff Time: 5 Minutes.

3.5. Consider Candidates for Vacant Director Position on the Santa Clara Valley Water District Public Facilities Financing Corporation.

[25-0772](#)

Recommendation: A. Review the candidates from the July 2, 2024, Special Board Meeting;
B. Appoint a candidate as a Director to the Santa Clara Valley Water District Public Facilities Financing Corporation; and
C. Adopt the Resolution FILLING THE VACANCY ON THE PUBLIC FACILITIES FINANCING CORPORATION; or
D. Direct the Clerk of the Board to Schedule Interviews of

Candidates.

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

Attachments: [Attachment 1: Articles of Incorporation](#)

[Attachment 2: Bylaws](#)

[Attachment 3: Resumes](#)

[Attachment 4: Resolution](#)

Est. Staff Time: 5 Minutes.

REGULAR AGENDA:

4. CONSENT CALENDAR:

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.

5. BOARD OF DIRECTORS:

5.1. Board Committee Reports.

6. WATER UTILITY ENTERPRISE:

7. WATERSHEDS:

7.1. Adopt a Resolution Declaring Portions of Real Property Owned by the Santa Clara Valley Water District (APN: 015-35-033 and APN: 015-35-012) to be Exempt Surplus Land; Authorize Conveyance of Real Property Interests with City of Sunnyvale; Execution of Cost Sharing Agreement with City of Sunnyvale; and Execution of Operation and Maintenance Agreement with City of Sunnyvale for the Sunnyvale East and West Channels Flood Protection Project, Project No. 26074002 (Sunnyvale, District 3).

[25-0749](#)

- Recommendation:
- A. Consider the environmental effects of modifications to the Sunnyvale East and West Channels Flood Protection Project, as discussed in the Third Addendum to the Final Environmental Impact Report;
 - B. Adopt a Resolution DECLARING PORTIONS OF REAL PROPERTY OWNED BY THE SANTA CLARA VALLEY WATER DISTRICT (APN 015-35-033 AND APN 015-35-

012) AS EXEMPT SURPLUS LAND UNDER CALIFORNIA GOVERNMENT CODE § 54221(f)(1)(D), DETERMINING THAT THE REAL PROPERTY TO BE TRANSFERRED IS NOT REQUIRED FOR DISTRICT USE AND AUTHORIZING THE TRANSFER OF PROPERTY TO THE CITY OF SUNNYVALE PURSUANT TO SECTION 31(G) OF THE DISTRICT ACT (SUNNYVALE, DISTRICT 3);

- C. Authorize the Interim Chief Executive Officer to execute a Quitclaim Deed identified as Real Estate File Nos. 2027-3.1 and 3015-445.1, to City of Sunnyvale with reservation of easement rights for flood protection and maintenance purposes;
- D. Authorize the Interim Chief Executive Officer to execute the Cost Sharing Agreement by and between the City of Sunnyvale and the Santa Clara Valley Water District for Construction of a Joint Wall; and
- E. Authorize the Chair of the Board to execute the West Channel Joint Wall Project: Operation and Maintenance Agreement.

Manager: Bhavani Yerrapotu, 408-630-2735

Attachments: [Attachment A: Gov Code § 84308](#)
[Attachment 1: Resolution](#)
[Attachment 2: Quitclaim Deed](#)
[Attachment 3: Agreement, Cost Share](#)
[Attachment 4: Agreement, Operation and Maintenance](#)
[Attachment 5: Third Addendum to the Final EIR](#)

Est. Staff Time: 5 Minutes.

- 7.2. Approve Amendment No. 5 to Agreement No. A4464A, with AECOM Technical Services, Inc., for Design Services for the Federal Energy Regulatory Commission Order Compliance Coyote Creek Flood Management Measures Project, Project No. 91864007, and the Coyote Creek Flood Protection Project, Project No. 26174043, CAS File No. 5157, Increasing the Not-to Exceed Fee by \$7,342,505 for a Total Not-to-Exceed Fee of \$24,997,196 and Extending the Agreement Term (San Jose, Districts 2, 3, and 6). [25-0776](#)

Recommendation: Approve Amendment No. 5 to Agreement No. A4464A with AECOM Technical Services, Inc., for design services for the Federal Energy Regulatory Commission Order Compliance Coyote Creek Flood Management Measures Project, Project No. 91864007, and Coyote Creek Flood Protection Project, Project No. 26174043, increasing the not-to-exceed fee by \$7,342,505, for a total not-to-exceed fee of \$24,997,196, and

extending the Agreement Term.

Manager: Bhavani Yerrapotu, 408-630-2735

Attachments: [Attachment A: Gov. Code § 84308](#)
[Attachment 1: Amendment No. 5](#)
[Attachment 2: Agreement No. A4464A](#)
[Attachment 3: Amendment No. 1](#)
[Attachment 4: Amendment No. 2](#)
[Attachment 5: Amendment No. 3](#)
[Attachment 6: Amendment No. 4](#)

Est. Staff Time: 5 Minutes.

8. ASSISTANT CHIEF EXECUTIVE OFFICER:

- 8.1. Adopt a Resolution Providing for a Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee of the Santa Clara Valley Water District - Superseding Resolution No. 21-10 establishing new conflict of interest disclosure requirements for members of the Safe, Clean Water and Natural Flood Protection Program's Independent Monitoring Committee. [25-0657](#)

Recommendation: Adopt the Resolution PROVIDING FOR A SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM INDEPENDENT MONITORING COMMITTEE OF THE SANTA CLARA VALLEY WATER DISTRICT - SUPERSEDING RESOLUTION NO. 21-10 establishing new conflict of interest disclosure requirements for members of the Safe, Clean Water and Natural Flood Protection Program's Independent Monitoring Committee.

Manager: Luz Penilla, 408-630-2228

Attachments: [Attachment 1: SCVWD Resolution 21-10](#)
[Attachment 2: SCVWD Resolution 12-62](#)
[Attachment 3: SCVWD Resolution 20-64](#)
[Attachment 4: 2012 Program Closeout Audit](#)
[Attachment 5: Redlined 21-10, Proposed Revisions](#)
[Attachment 6: Resolution](#)

Est. Staff Time: 5 Minutes.

- 8.2. Approve a Sole Source Designation for the Shoreblock EPEC SD-900 OCT Product; Adopt Plans and Specifications and Authorize Advertisement for Bids for Construction of the Anderson Dam Seismic Retrofit Project Project No. 91864005, Contract No. C0702 (Morgan Hill, District 1). [25-0761](#)

- Recommendation:
- A. Find that the following item should be specified by brand name and designated as a sole source product;
 - i. A necessary item only available from one source. Public Contract Code Section 3400(c) (3): Extreme Performance Erosion Control revetment systems for temporary spillway construction;
 - B. Adopt the Plans and Specifications and Authorize Advertisement for Bids, exclusively to the list of Santa Clara Valley Water District Pre-Qualified bidders, for construction of the Anderson Dam Seismic Retrofit Project, per the Notice to Bidders; and
 - C. Authorize the Designated Engineer to issue addenda, as necessary, during bidding process.

Manager: Ryan McCarter, 408-630-2983

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

Est. Staff Time: 5 Minutes.

9. EXTERNAL AFFAIRS:

10. CHIEF EXECUTIVE OFFICER:

10.1. CEO and Chiefs' 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. [25-0780](#)

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

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

Attachments: [8-21-25 FY25-26 Board Policy Planning Calendar1](#)

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, October 14, 2025, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California, and via Zoom teleconference.