



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

January 23, 2025

Board Policy EL-7 Communication and Support to the Board
The BAOs shall inform and support the Board in its work.

| | |
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CEO BULLETIN

CEO BULLETIN



To: Board of Directors
From: Melanie Richardson, Interim CEO

Weeks of January 8, 2026 – January 22, 2026

Board Executive Limitation Policy EL-7:

The Board Appointed Officers shall inform and support the Board in its work. Further, a BAO shall 1) inform the Board of relevant trends, anticipated adverse media coverage, or material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established and 2) report in a timely manner an actual or anticipated noncompliance with any policy of the Board.

| Item | IN THIS ISSUE |
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| <u>5</u> | Safe, Clean Water Standard Grant Cancellation: Downtown Streets, Inc.’s Upper Penitencia Creek Cleanup, Outreach, and Revitalization Project |

1. Safe, Clean Water Grant Closeout: Silicon Valley Bicycle Coalition’s Wheels and Waterways Project

In Fiscal Year 2021, Valley Water awarded Silicon Valley Bicycle Coalition (SVBC) a \$50,000 Safe, Clean Water Program B7 Grant for their Wheels and Waterways Project (Project). SVBC completed the Project in May 2025 and submitted the final invoice items in November 2025, allowing for grant closeout.

Silicon Valley Bicycle Coalition is a 501(c)(3) non-profit organization that promotes safer, more sustainable communities through bicycling. The Project supported a quarterly community bike ride series at creek trail locations throughout Santa Clara County, including Guadalupe River, Coyote Creek, Penitencia Creek, and Stevens Creek. Each ride combined guided educational stops, expert speakers, and hands-on creek cleanups to teach participants about watershed stewardship, water conservation, flood protection, riparian ecosystem health, and environmental justice. The Project also recruited new beginner riders, working with 23 local partners to expand community confidence in sustainable transportation.

Key Outcomes:

- Engaged 376 residents through 17 educational bike rides across four creek trail systems.
- Removed 6,230 pounds of trash during six cleanup events and transported waste by bicycle and bicycle trailers along the Guadalupe River, Coyote Creek, Penitencia Creek, and Stevens Creek.
- Increased awareness of watershed health, flood protection, and sustainable mobility through six educational group rides.

For further information, please contact Rachael Gibson at (408) 630-2884.

2. Safe, Clean Water Mini-Grant Closeout: Bay Area Ridge Trail Council's Ridge Trail Service Day Project

In Fiscal Year 2025, Valley Water awarded Bay Area Ridge Trail Council (BARTC) a \$10,000 Safe, Clean Water Program F9 Mini-Grant for their Ridge Trail Service Day (Project). BARTC completed the Project in November 2025 and submitted the final invoice items in December 2025, allowing for grant closeout.

Bay Area Ridge Trail Council is a 501(c)(3) non-profit organization dedicated to creating and sustaining the trail network in Santa Clara County and around the San Francisco Bay Area through stewardship, partnerships, and community engagement. The grant funds supported the BARTC's Ridge Trail Service Day, an annual volunteer stewardship event at three Santa Clara County locations, including Sierra Vista Open Space Preserve in San José, Sanborn County Park's Skyline Trail in Saratoga, and Coyote Creek Trail at Tully Ballfields in San José. In total, 125 volunteers and staff contributed 315 volunteer hours, and conducted trail maintenance, habitat restoration, and debris removal.

Key Outcomes:

- Improved public access by maintaining and restoring two miles of trail and removing 104 bags of trash.
- Strengthened regional collaboration in Santa Clara County through partnerships with five organizations supporting conservation and trail stewardship.
- Promoted the Project and raised awareness about trail stewardship through social media and newsletters reaching over 30,000 followers.

For further information, please contact Rachael Gibson at (408) 630-2884.

3. Safe, Clean Water Mini-Grant Closeout: Children's Discovery Museum of San Jose's Guadalupe River Watershed Exhibit Project

In Fiscal Year 2024, Valley Water awarded Children's Discovery Museum of San Jose (CDMSJ) a \$5,000 Safe, Clean Water Program F9 Mini-Grant for their Guadalupe River Watershed Exhibit (Project). CDMSJ completed the Project on October 24, 2025, and submitted the final invoice items in November 2025, allowing for grant closeout.

The Children's Discovery Museum of San Jose is a 501(c)(3) non-profit organization dedicated to inspiring learning through interactive, hands-on exhibits for children and families. The Project supported the creation of a permanent, outdoor exhibit in the museum's environmental education area, Bill's Backyard, at the Junior Ranger Station in San José.

The exhibit features a detailed three-dimensional watershed model and map that highlights different geographical features and demonstrates the impact of human activity on the local watershed. The exhibit serves as an educational tool to promote the importance of watershed protection and water conservation. Multilingual signage in English, Spanish, and Vietnamese provides accessible environmental education for diverse audiences.

Key Outcomes:

- Invited 52 fourth- and fifth-grade students to engage with the exhibit and participate in a post-visit survey.
- 87% of students agreed that they improved their understanding of watersheds after visiting the outdoor exhibit at the Children’s Discovery Museum.
- 85% of students demonstrated awareness of human impacts on local watersheds.

For further information, please contact Rachael Gibson at (408) 630-2884.

4. Safe, Clean Water Refill Station Grant Closeout: AchieveKids’ Valley Water Refill Station Project

In Fiscal Year 2025, Valley Water awarded AchieveKids a \$5,000 Safe, Clean Water Program F9 Refill Station Grant for their Valley Water Refill Station Project located in San José. AchieveKids completed the Project and submitted the final invoice items on June 11, 2025, allowing for grant closeout.

AchieveKids is a 501(c)(3) non-profit organization dedicated to empowering students with individualized support, confidence, and lifelong learning in special education. The new water refill station replaced an existing water fountain near a high-traffic area next to the bathrooms, where it is easily accessible for students and visitors. The installation improves water access during programming and supports youth, staff, and visitors.

Key Outcomes:

- Installed a new refill station serving over 80 students and staff daily, as well as during community events.
- Expanded clean water access for students from kindergarten through 12th grade.
- Supports access to clean drinking water, as well as student health, hydration, and sustainability.

For further information, please contact Rachael Gibson at (408) 630-2884.

5. Safe, Clean Water Standard Grant Cancellation: Downtown Streets, Inc.’s Upper Penitencia Creek Cleanup, Outreach, and Revitalization Project

In Fiscal Year 2022, Valley Water awarded Downtown Streets, Inc. a \$78,782.72 Safe, Clean Water Program F9 Standard Grant for their Upper Penitencia Creek Cleanup, Outreach, and Revitalization Project (Project). The Project intended to reduce trash and pollution along a three-mile stretch of Upper Penitencia Creek between Berryessa Road and Highway 680 while providing workforce development opportunities for individuals experiencing or at risk of homelessness. The Project also intended to strengthen community stewardship and support unhoused residents through cleanups, outreach, and educational events.

The agreement was executed on May 9, 2024, with an initial end date of May 9, 2029. The Project achieved partial progress, including the removal of trash, engagement of volunteers, and outreach activities. On September 11, 2025, Downtown Streets provided a formal notice of contract termination citing financial and political challenges and ceased operations on October 31, 2025. As a result of the early termination, \$33,948.28 of the total project budget remained unspent.

Key Outcomes:

- Removed 194,464 cubic yards of trash from the Upper Penitencia Creek area.
- Hosted 106 community cleanup events, engaging a total of 212 volunteers.
- Distributed 364 hygiene kits to individuals during outreach efforts.
- Conducted outreach at 106 different sites to support unhoused residents and connect them with resources.

For further information, please contact Rachael Gibson at (408) 630-2884.

BOARD MEMBER REQUESTS and Informational Items

Report Name: Board Member Requests

| Request | Request Date | Director | BAO/Chief | Staff | Description | 20 Days Due Date | Expected Completion Date | Disposition |
|--------------|--------------|-----------|-----------|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------------------------|-------------|
| IBMR-25-0009 | 12/18/25 | Eisenberg | Gibson | Lugo | How much money (if any) Valley Water paid (donation or otherwise) to the following organizations (including affiliates, sub-groups and/or parent organizations) over the past 5 years: Council on American-Islamic Relations (CAIR), American Israel Public Affairs Committee (AIPAC), National Association for the Advancement of Colored People (NAACP), and Anti-Defamation League (ADL). Have we donated or provided funds to an Asian American/AAPR/Chinese-American/Vietnamese-American/Japanese-American/Korean-American/Taiwanese-American/Philippino-American/Singaporean-American/and etc. group like this as well? | 01/07/26 | | |

INCOMING BOARD CORRESPONDENCE

Board Correspondence (open)

| Correspond No | Rec'd By District | Rec'd By COB | Letter To | Letter From | Description | Disposition | BAO/ Chief | Staff | Draft Response Due Date | Draft Response Submitted | Writer Ack. Sent | Final Response Due Date |
|---------------|-------------------|--------------|-----------|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|------------|--------|-------------------------|--------------------------|------------------|-------------------------|
| BC-25-0210 | 12/18/25 | 12/18/25 | Beall | DAVID GUTHRIDGE | Letter from Light, Air & Space Construction to Director Jim Beall, received on 12/18/25, regarding Terraphase Engineering's award of the Environmental Sampling Services contract. | Refer to Staff | Yoke | Ndah | 12/26/25 | 01/15/26 | n/a | 01/01/26 |
| BC-26-0003 | 01/07/26 | 01/07/26 | All | DOROTA NIEWCZAS | Email from Dorota Niewczas to the board, dated 01/07/26, informing us that the water near 5663 Goldfield Drive tastes bad and suspects one of our filters may be broken. | Refer to Staff | Baker | Bogale | 01/15/26 | 01/15/26 | n/a | 01/21/26 |



CITY OF CAMPBELL

City Manager's Office

January 14, 2026

Ms. Melanie Richardson
Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118

Subject: City of Campbell - Outfall 138

Dear Ms. Richardson:

The City of Campbell is requesting your assistance in facilitating the repair of a failing storm drain outfall along the Los Gatos Creek adjacent to the Los Gatos Creek County Park.

In 1975, the City of Campbell and Valley Water partnered to relocate the storm drain outfall that had historically drained municipal stormwater collected from the Dell Avenue area directly to Valley Water's Camden Percolation Ponds. To prevent further discharge into the Camden Ponds, a new storm drain outfall was constructed nearby on the bank of the Los Gatos Creek (see attached location map).

In January of 2023, the outfall caused significant erosion, prompting Valley Water to make emergency repairs to stabilize the slope of the Los Gatos Creek adjacent to the County of Santa Clara trail. In February 2024, a sink hole developed behind the rock riprap adjacent to the outfall. Valley Water fenced off the area and filled the void with crushed rock.

On March 4, 2024, Valley Water, County of Santa Clara Parks, and City of Campbell staff met at the site of the outfall. The City was prepared to repair the outfall as an emergency repair to remedy the situation with a permanent fix. However, Valley Water staff disagreed the repair as an "emergency." Instead, additional requirements were imposed on the repair work. For example, the City did not anticipate the need to provide design plans to replace an existing structure. Valley Water also directed the City to engage with the regulatory agencies. Seeing this as the only path to move forward, City staff sought Valley Water's expertise to guide staff through the process.

Based on direction received from Valley Water staff, the City reached out to the regulatory agencies. On February 13, 2025, City and Valley Water staff attended a meeting with the Army Corp of Engineers, Regional Water Quality Board, and several other permitting agencies to seek understanding in obtaining permission to repair the outfall. The results of this meeting were disappointing. The requirements for the proposed maintenance repairs seemed more applicable to the construction of an entirely new outfall, not the maintenance of an outfall that has existed for over 50 years. Construction of that magnitude is beyond the available fiscal resource and responsibility of the City.

Ms. Melanie Richardson
January 14, 2026
Page Two

City staff were later made aware of a very similar project in the City of San Jose along Thompson Creek, where Valley Water had assisted San Jose in repairing a failing outfall under their permit. When City staff inquired about pursuing a similar partnership, City staff were told that the circumstances were different, and it was not an option. Valley Water staff attempted to connect the City with more reasonable permitting staff at the Water Board, but to no avail.

The outfall continues to fail, impacting users of the adjacent Los Gatos Creek County Park, and complete failure could result in localized flooding to the Dell Avenue area (see attached photos). There also exists a risk that the municipal stormwater could again make its way into the Camden Percolation Ponds as that storm drain main runs along the bottom of the ponds on its way to the failing outfall.

As our local expert on creeks, we respectfully request Valley Water's assistance and partnership in helping to get this outfall repaired. The latest storm has further undermined the outfall, requiring urgent emergency repair.

I look forward to hearing from you about how our two agencies can partner together. I can be reached at (408) 866-2777, or by email at brianl@campbellca.gov.

Sincerely,

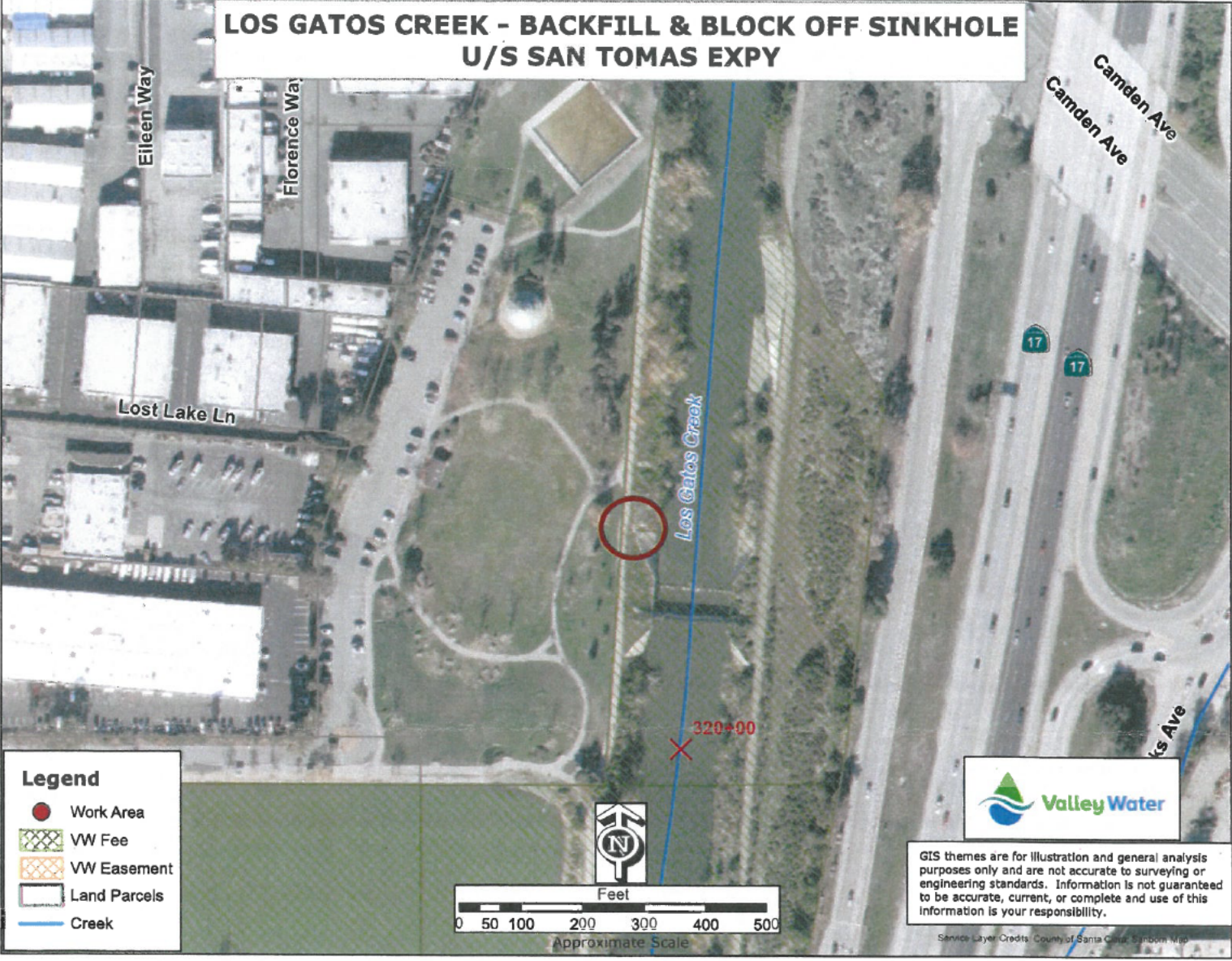


Brian Loventhal
City Manager

Enclosures

cc: Jim Beall
Campbell City Council
Amy Olay

LOS GATOS CREEK - BACKFILL & BLOCK OFF SINKHOLE U/S SAN TOMAS EXPY



Legend

- Work Area
- VW Fee
- VW Easement
- Land Parcels
- Creek



GIS themes are for illustration and general analysis purposes only and are not accurate to surveying or engineering standards. Information is not guaranteed to be accurate, current, or complete and use of this information is your responsibility.

Service Layer Credits: County of Santa Clara Sanborn Map

Los Gatos Creek - Outfall 138 - Photos



Failing Outfall 138 along Los Gatos Creek adjacent to County Park



Los Gatos Creek County Park pathway closed due to failing outfall



Fencing around sinkhole - failing outfall

January 14, 2026

Jim Beall, District 4
Valley Water
bealljt@yahoo.com, board@valleywater.org

Dear Mr. Beall:

On behalf the Northern California District Council of Laborers and its affiliated Local Unions (LIUNA), we write to express serious concerns regarding the recommendation to award the Construction Manager at Risk ("CMAR") contract for the Sites Reservoir Package to Barnard Construction Company ("Barnard").

Barnard identifies the Keeyask Generating Station ("KGS") project in Manitoba, Canada, as its largest and most comparable reference project in its Statement of Qualifications ("SOQ"). However, publicly available information and independent expert reviews show that the KGS project was delivered years late and billions of dollars over its original budget, facts not disclosed in Barnard's SOQ.

The General Civil Contract ("GCC") for the KGS project was originally awarded at approximately CAD \$1.4 billion but ultimately exceeded CAD \$2.9 billion. Independent experts retained by the Manitoba Public Utilities Board ("PUB") concluded that the cost increases were primarily attributable to the GCC contractor's performance, including unachievable productivity assumptions, schedule delays, and ineffective incentives under the cost reimbursable contract structure. By 2017, the total project budget had increased by approximately 33%, or CAD \$2.2 billion.

Barnard has acknowledged that the KGS project was completed approximately 2.5 years late, attributing delays to field changes and COVID-19. However, independent reviews conducted prior to the pandemic found significant issues within the contractor's control, including widespread negative float in scheduling, unrealistically low bid pricing, and productivity levels that experts determined were not achievable.

Independent reports also raised serious labor and safety concerns. Excessive overtime, sometimes exceeding 16 to 21 hours per day and unusually high supervisory staffing ratios were identified as contributors to reduced productivity, increased costs, and safety risks. These issues are commonly associated with out-of-area contractors lacking strong ties to local hiring halls and training programs. As we have previously noted, Barnard would similarly operate as an out-of-area contractor on the Reservoir Package.

The cost overruns at KGS ultimately impacted Manitoba Hydro ratepayers, contributing to subsequent electricity rate increases. During regulatory proceedings, customer groups cited the KGS project as an example of how late and over-budget megaprojects place upward pressure on user rates.

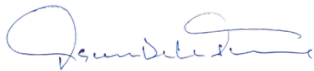
Given that the KGS project is the largest and most prominent project cited in Barnard's SOQ, it warrants careful and independent review. We respectfully request that the Sites Authority delay its scheduled January 16 vote and conduct additional due diligence, including consultation with the Manitoba PUB and the independent experts who reviewed the KGS project.

We also urge the Authority to closely examine the productivity assumptions underlying Barnard's proposal for the Sites Reservoir Package and compare them against industry benchmarks and comparable projects. If such a review has already been conducted, we request that the relevant documentation be disclosed.

The Sites Authority has a responsibility to California's communities, workforce, and water users to ensure that the selected CMAR contractor has the demonstrated capacity, experience, and accountability required for a project of this magnitude. We urge the Authority to take all necessary steps to fully vet Barnard before proceeding.

We appreciate your attention to these concerns and look forward to continued engagement as the project moves forward. Please do not hesitate to contact us with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Oscar De La Torre".

Oscar De La Torre
Business Manager
Northern California District Council of Laborers

ODLT:asa
Liuna67

OUTGOING BOARD CORRESPONDENCE

From: [Candice Kwok-Smith](#) on behalf of [Board Correspondence](#)
To: [Jennifer Codianne](#); [Christopher Hakes](#); [Breanne Roderick](#); [Shanika Richards](#)
Cc: [Board of Directors](#)
Subject: FW: Water and mud slide on Christmas Eve
Date: Friday, January 16, 2026 1:10:33 PM
Attachments: [image001.png](#)

From: Candice Kwok-Smith **On Behalf Of** Board of Directors
Sent: Friday, January 16, 2026 1:07 PM
To: [REDACTED] <[REDACTED]>
Cc: [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>
Subject: Re: Water and mud slide on Christmas Eve

Sent on Behalf of Director Beall:

Dear Brian Fox,

Thank you for contacting Valley Water regarding your concerns about stormwater runoff from the v-ditch located behind your residence.

Based on our review, the drainage feature behind your property is not a Valley Water flood protection facility, and Valley Water does not have land ownership or easement rights in that area. It is likely that the drainage was constructed as part of the original neighborhood development to convey surface runoff.

As discussed in prior email correspondence with Deputy Operating Officer Jennifer Codianne, it would be appropriate to contact the adjacent property owner to determine ownership and responsibility for the drainage infrastructure. Additionally, Ms. Codianne submitted an inquiry on your behalf to the County of Santa Clara. Should she receive any relevant information, she will follow up with you directly.

Valley Water owns and manages approximately 333 of the more than 800 miles of creeks in Santa Clara County, specifically where flood protection projects have been constructed and land rights are held. The remaining creek segments are owned and maintained by a combination of Santa Clara County, local cities, private entities, and other public agencies. In areas where private property extends into a creek, the property owner typically holds primary responsibility for stream maintenance.

For reference, Valley Water's land ownership and easement information is available on our website at: <https://gis.valleywater.org/FeeEasement/>. Areas shown in green indicate fee title ownership by Valley Water, while yellow areas represent easement holdings.

If you have additional questions, please contact Deputy Operating Officer Jennifer Codianne at jcodianne@valleywater.org.

Thank you again for reaching out to Valley Water.

Sincerely,



Jim Beall
Director, District 4

C-25-0215

From: Brian Fox <[REDACTED]>
Sent: Tuesday, December 30, 2025 12:01 PM
To: Shiloh Ballard <[REDACTED]>
Cc: Shiloh Ballard <SBallard@valleywater.org>; Karen Lo Fox <[REDACTED]>;
Mudasir Ahmad <[REDACTED]>
Subject: Re: Water and mud slide on Christmas Eve

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

Hi Shiloh,

Thank you for your quick response.

We live in Almaden Valley. This is District 10 for the City of San Jose.

I don't recall speaking with anyone at the Water Board previously.

I believe I submitted a request through your online "Request for Help" system.

If I recall correctly, I received an email saying the subject area is not part of Valley Water, and there is nothing it can do.

I appreciate any help you can provide. If Valley Water cannot help us, is there someone else you could recommend?

Happy New Year and Warm Regards,

Brian

Brian Fox

[REDACTED]
[REDACTED]

On Tue, Dec 30, 2025 at 8:39 AM Shiloh Ballard [REDACTED] wrote:

Hi Brian,

Thanks for reaching out.

I've cc'd my Valley Water account so that this is marked as an official correspondence.

Quick question: What area do you live in? That way we can loop in the Director that represents that area.

I don't have an answer for you but I'll ask staff if they are familiar with this situation and can provide further direction. Can you tell me who you've worked with in the past? That might help speed things up.

Shiloh

On Mon, Dec 29, 2025 at 5:23 PM Brian Fox <[REDACTED]> wrote:

Hi Shilo,

I am Karen Fox's husband. She suggested that I contact you regarding a recurring flooding issue we have resulting from stormwater runoff above our home.

On Christmas morning we awoke to lots of water running through our front yard and washing away some of our landscaping and a rock river bed we installed to channel excess water.

Unfortunately, we don't have a video, but I have attached a few photos that show the aftermath of the flooding. Fortunately, this flood isn't as bad as prior ones that wiped away A Lot of dirt, bark and plants causing

a river of mud down our street.

We maintain the V ditch above our lot, and it was clean before the recent storm. Once the water rushing above us caused enough erosion however, the debris filled the storm drain.

We understand that a long term solution might be to expand the current stormwater drain with something much more substantial. Just as importantly, this drain must be maintained regularly, and we do not have the resources to do this ourselves.

After prior events, we have reached out to Valley Water as well as The City, Open Space Authority and others. No one has been able to help us (or even gotten back to us).

We would like to work with the appropriate authorities to resolve this issue for the long term. Is there someone within your agency you can refer us to? If not at Valley Water, is there someone elsewhere you can refer us to?

We appreciate any help you can provide.

Regards,

Brian

Brian Fox

[REDACTED]
[REDACTED]