



# **Santa Clara Valley Water District Safe, Clean Water Independent Monitoring Committee (SCW IMC)**

HQ. Bldg. Boardroom, 5700 Almaden Expressway, San Jose, California

Alternate location:  
6535 Ravenna Ave NE, Seattle, WA

## **REGULAR MEETING AGENDA**

**Friday, January 31, 2025  
4:00 PM**

**District Mission: Provide Silicon Valley safe, clean water for a healthy life, environment and economy.**

SAFE, CLEAN WATER PROGRAM  
INDEPENDENT MONITORING  
COMMITTEE (IMC)

COMMITTEE OFFICERS:  
Jeffrey Hare, Committee Chairperson  
Susan M. Landry, Committee Vice  
Chairperson

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Dave Leon (Committee Liaison)  
daveleon@valleywater.org (408)  
630-2006

BOARD REPRESENTATIVES:  
Nai Hsueh, Board Chairperson  
Richard Santos, Board Vice  
Chairperson

**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**  
**SCW Independent Monitoring Committee (SCW IMC)**  
**REGULAR MEETING**  
**AGENDA**

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Friday, January 31, 2025

4:00 PM

HQ. Bldg. Boardroom, 5700 Almaden  
Expressway, San Jose, California

Join Zoom Meeting:

<https://valleywater.zoom.us/j/85611501656>

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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.

- 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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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/85611501656>**

**Meeting ID: 856 1150 1656**

**Join by Phone:**

**1 (669) 900-9128, 85611501656#**

**1. CALL TO ORDER:**

1.1. Roll Call.

**2. 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. APPROVAL OF MINUTES:**

- 3.1. Approve the December 4, 2024 IMC Minutes.

[25-0139](#)

Recommendation: Approve the December 4, 2024 IMC minutes.

Manager: Candice Kwok-Smith, 408-930-3193

Attachments: [120424 Draft IMC Minutes](#)

**4. REGULAR AGENDA:**

- 4.1. Outcome of Subcommittee Meetings

[25-0138](#)

Recommendation: Subcommittee Chairs report out on key areas of discussions and recommendations for full committee consideration.

Manager: Luz Penilla, 408-630-2228

**5. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.**

*This is an opportunity for the Clerk to review and obtain clarification on any formally moved, seconded, and approved requests and recommendations made by the Committee during the meeting.*

**6. ADJOURN:**

- 6.1. Adjourn to Regular Meeting at 4:00 p.m. on February 19, 2025.



# Santa Clara Valley Water District

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**File No.:** 25-0139

**Agenda Date:** 1/31/2025  
**Item No.:** 3.1.

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**COMMITTEE AGENDA MEMORANDUM**  
**Safe, Clean Water Independent Monitoring Committee**

**SUBJECT:**

Approve the December 4, 2024 IMC Minutes.

**RECOMMENDATION:**

Approve the December 4, 2024 IMC minutes.

**SUMMARY:**

A summary of Committee discussions, and details of all actions taken by the Committee, during all open and public Committee meetings, is transcribed and submitted for review and approval.

Upon Committee approval, minutes transcripts are finalized and entered into the District's historical records archives and serve as historical records of the Committee's meetings.

**ATTACHMENTS:**

Attachment 1: 120424 Draft IMC Minutes

**UNCLASSIFIED MANAGER:**

Candice Kwok-Smith, 408-930-3193

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SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM  
INDEPENDENT MONITORING COMMITTEE

# DRAFT MINUTES

WEDNESDAY, DECEMBER 4, 2024

(Paragraph numbers coincide with agenda item numbers)

A regularly scheduled meeting of the Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee was held on December 4, 2024 at Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, CA 95118.

**1. CALL TO ORDER**

Committee Chair Jeffrey Hare called the meeting to order at 4:06 p.m.

**1.1. ROLL CALL**

A quorum was established with 11 Members present.

**Members in attendance were:**

District 1: Marc Rauser

District 2: Chairperson Jeffrey Hare, Kathleen Sutherland

District 3: Will Ector

District 4: Susan M. Landry

District 5: Bill Hoeft

District 6: Patrick Kwok, Rebecca Gallardo

District 7: Forest Peterson

**Members attending virtually were:**

District 3: Bill Chuan

District 5: George Fohner

Board members in attendance were: Director Nai Hsueh, District 5; and Director Richard Santos, District 3.

Valley Water staff in attendance were: Emmanuel Aryee, Erin Baker, Lisa Bankosh, Sandra Benavidez, Wade Blackard, Joshua Blank, John Bourgeois, Jen Codianne, Jessica Collins, Meenakshi Ganjoo, Christopher Hakes, Emelia Lamas, Dave Leon, Ryan McCarter, Julianne O'Brien, Sophie Padilla, Tracy Pena, Luz Penilla, Lisa Porcella,

Metra Richert, Kevin Sibley, Kirsten Struve, Darin Taylor, Kristen Yasukawa, Bhavani Yerrapotu, and Tina Yoke.

Public in attendance were: Rebecca Eisenberg, Katja Irvin, Judynam, Kirsten, Osha Meserve, Rick, and John Varela.

**2. TIME OPEN FOR PUBLIC COMMENT ON ANY ITEM NOT ON THE AGENDA**

There was no one who wished to speak.

**2.1. ELECTION OF CHAIR AND VICE CHAIR**

Recommendation: Elect 2024-2025 Chair and Vice Chair.

It was moved by Member Kwok, seconded by Member Rauser, and unanimously carried, to elect Jeffrey Hare as Chairperson.

It was moved by Member Sutherland, seconded by Member Chuan, and unanimously carried, to elect Susan M. Landry as Vice Chairperson.

**3. APPROVAL OF MINUTES**

**3.1 APPROVE THE FEBRUARY 7, 2024 IMC MINUTES**

Recommendation: Approve the February 7, 2024 IMC minutes

It was moved by Member Sutherland, seconded by Member Kwok, and carried by a vote of 8-0, to approve the February 7, 2024 Committee meeting minutes as submitted. Members Chuan, Gallardo, and Landry abstained.

**4. REGULAR AGENDA**

**4.1 INDEPENDENT MONITORING COMMITTEE'S ANNUAL REVIEW OF THE SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM'S FISCAL YEAR 2023-24 ANNUAL REPORT**

Meenakshi Ganjoo reviewed the information on this item, per the attached Committee Agenda Memo, and the corresponding presentation materials contained in Attachments 1 through 6 and was available to answer questions.

Member Peterson left at 4:25 p.m.

Discussion ensued relating to whether other agencies utilize the annual report, when the next planning cycle begins, the status of active projects, and IMC subcommittees.

Public comments: None.

It was moved by Chairperson Hare, seconded by Member Ector, and approved unanimously to continue using the current model of review and reporting.

It was moved by Chairperson Hare, seconded by Member Ector, and approved unanimously to adopt the reporting timeline proposed by staff.



#### **4.2 OVERVIEW OF SANTA CLARA VALLEY WATER DISTRICT'S FISH PASSAGE AND HABITAT IMPROVEMENT EFFORTS**

Recommendation: Receive Information on Santa Clara Valley Water District's Fish Habitat and Passage Improvement Efforts

Lisa Porcella reviewed the information on this item, per the attached Committee Agenda Memo, and the corresponding presentation materials contained in Attachment 1. Lisa Porcella and Ryan McCarter were available to answer questions.

Discussion ensued relating to barriers and infrastructure at Los Gatos Creek, chillers, measuring the effectiveness of the program, data collection and analysis, the adaptive management program for the next 30 years, and Chinook on the project site.

Public Comments: None.

The Committee received the information and took no formal action.

#### **4.3 RECEIVE THE 2012 SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION (2012 PROGRAM) PERFORMANCE CLOSEOUT AUDIT REPORT WITH MANAGEMENT RESPONSE AND AN UPDATE ON THE RENEWED SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM AUDIT.**

Recommendation:

- A. Receive the 2012 Safe, Clean Water and Natural Flood Protection Program Performance Closeout Audit Report with Management Response; and
- B. Receive an Update on the renewed Safe, Clean Water and Natural Flood Protection Program (Renewed Safe, Clean Water Program) Audit.

Colleen Rozillis, Moss Adams Wealth Advisors LLC, reviewed the information on this item, per the attached Committee Agenda Memo, and the corresponding presentation materials contained in Attachment 4.

John Mahoney, Tanner Pacific, reviewed the information on this item, per the attached Committee Agenda Memo, and the corresponding presentation materials contained in Attachment 2.

Colleen Rozillis, John Mahoney, and Luz Penilla were available to answer questions.

Discussion ensued relating to succession planning, IMC onboarding and turnover, the IMC handbook, best practices for collaboration with other agencies, possible methods to adjust KPIs, and the feasibility of having fellow stakeholders make presentations to the Committee.

The Committee received the information and took no formal action.

#### **5. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.**

The Committee took no formal action.

Chairperson Hare moved the agenda back to Item 4.1.

**4.1 INDEPENDENT MONITORING COMMITTEE'S ANNUAL REVIEW OF THE SAFE,  
CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM'S FISCAL YEAR  
2023-24 ANNUAL REPORT**

The Committee members discussed and volunteered for the IMC subcommittees.

**6. ADJOURN TO REGULAR MEETING AT 4:00 P.M. ON THURSDAY, JANUARY 30,  
2024**

Chairperson Hare adjourned the meeting at 6:08 p.m.

Dave Leon  
Assistant Deputy Clerk II  
Office of the Clerk of the Board

Approved:



# Santa Clara Valley Water District

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**File No.:** 25-0138

**Agenda Date:** 1/31/2025

**Item No.:** 4.1.

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## **COMMITTEE AGENDA MEMORANDUM** **Safe, Clean Water Independent Monitoring Committee**

### **SUBJECT:**

Outcome of Subcommittee Meetings.

### **RECOMMENDATION:**

Subcommittee Chairs report out on key areas of discussions and recommendations for full committee consideration.

### **SUMMARY:**

On December 4, 2024, the IMC met to begin its annual review of the Safe, Clean Water and Natural Flood Protection Program (Safe, Clean Water Program). The IMC set up subcommittees to review the Safe, Clean Water Program progress by reviewing Valley Water's Safe, Clean Water Program Annual report for fiscal year (FY) 2023-24. The IMC set up subcommittees for priorities A and C, B, D, E, and F. It also established a Finance Subcommittee to review program-level financial information.

The six subcommittees met with Valley Water staff from January 6 to 10, 2025. Each subcommittee elected a Chair, heard presentations by staff, asked questions, and held discussions.

The next steps involve subcommittee chairs providing reports on key discussion areas and recommendations for the IMC's consideration in developing a final report to the Board.

### **Next Steps:**

- a. *February 3, 2025, IMC Report Drafting Meeting (IMC Chair, Vice-Chair and Subcommittee Chairs)*
- b. *February 19, 2025, Full Committee Meeting Report*
  - i. *Review and Approve the Final IMC Report*
- c. *March 11, 2025, IMC Chair presents Final IMC Report to the Board*

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**File No.:** 25-0138

**Agenda Date:** 1/31/2025  
**Item No.:** 4.1.

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**ATTACHMENTS:**

None.

**UNCLASSIFIED MANAGER:**

Luz Penilla, 408-630-2228