



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

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

## **REGULAR MEETING AGENDA**

**Wednesday, February 19, 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

During the COVID-19 restrictions, 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) 265-2600.

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

BOARD REPRESENTATIVES:  
Tony Estremera, 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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Wednesday, February 19, 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>

Valley Water, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access and/or participate in Valley Water Board of Directors/Board Committee meetings to please contact the Clerk of the Board’s office at (408) 630-2711, at least 3 business days before the scheduled meeting to ensure that Valley Water may assist you.

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/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 January 31, 2025 IMC Minutes.

[25-0201](#)

Recommendation: Approve the January 31, 2025 IMC minutes.

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

Attachments: [013125 Draft IMC Minutes](#)

Est. Staff Time: 5 Minutes

#### 4. REGULAR AGENDA:

- 4.1. Report Drafting Committee Presents Final Independent Monitoring Committee (IMC) Annual Report for Fiscal Year 2023-2024. [25-0179](#)

Recommendation: Review and approve the Final Independent Monitoring Committee (IMC) Annual Report for fiscal year 2023-2024 (FY24).

Manager: Luz Penilla, 408-630-2228

Attachments: [Attachment 1: IMC FY24 Draft Cover Letter 2025](#)

[Attachment 2: IMC FY24 Draft Annual Report](#)

[Attachment 3: IMC FY24 Draft Notes for Future Program Annual F](#)

Est. Staff Time: 60 Minutes

- 4.2. Receive Information on and Discuss Santa Clara Valley Water District's Proposed Amended Conflict of Interest Code. [25-0162](#)

Recommendation: Receive Information on and Discuss Santa Clara Valley Water District's Proposed Amended Conflict of Interest Code.

Manager: Anna Lee, 408-630-2052

Patrice McElroy, 408-630-3159

Attachments: [Attachment 1: Draft Resolution with Redlined and Clean Copy of F](#)

Est. Staff Time: 20 Minutes

#### 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.



# Santa Clara Valley Water District

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**File No.:** 25-0201

**Agenda Date:** 2/18/2025  
**Item No.:** 3.1.

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

### **SUBJECT:**

Approve the January 31, 2025 IMC Minutes.

### **RECOMMENDATION:**

Approve the January 31, 2025 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: 013125 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

FRIDAY, JANUARY 31, 2025

(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 January 31, 2025 at the Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, CA 95118.

**1. CALL TO ORDER**

Committee Chair Jeffrey Hare called the meeting to order at 4:04 p.m.

**1.1. ROLL CALL**

A quorum was established at 4:07 p.m. with eight Members present.

**Members in attendance were:**

District 1: Marc Rauser

District 2: Chairperson Jeffrey Hare, Kathleen Sutherland

District 3: Bill Chuan

District 4: Vice Chairperson Susan M. Landry

District 5: Bill Hoeft

District 7: Forest Peterson

**Members attending virtually were:**

District 5: George Fohner

**Members absent were:**

District 3: Will Ector

District 6: Patrick Kwok, Rebecca Gallardo

Director Richard Santos, District 3, attended the meeting virtually.

Valley Water staff in attendance were: Edgar Alcaraz, Emmanuel Aryee, Lisa Bankosh, Mark Bilski, Wade Blackard, Joshua Blank, James Bohan, John Bourgeois, Jen Codianne, Jessica Collins, Amy Fonseca, Meenakshi Ganjoo, Alexander Gordon, Chris Hakes, Dave Leon, Ryan McCarter, Patrice McElroy, Carmen Narayan, Julianne O'Brien, Max Overland, Sophie Padilla, Luz Penilla, Metra Richert, Kirsten Struve, Sadie Lum, and Tina Yoke.

Public in attendance were: Will Ector, Rebecca Eisenberg, and EmilZedl.

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

There was no one who wished to speak.

**3. APPROVAL OF MINUTES**

**3.1 APPROVE THE DECEMBER 4, 2024 IMC MINUTES**

Recommendation: Approve the December 4, 2024 IMC minutes

It was moved by Vice Chairperson Landry, seconded by Member Rauser, and unanimously carried, to approve the December 4 Committee meeting minutes as submitted.

**4. REGULAR AGENDA**

**4.1 OUTCOME OF SUBCOMMITTEE MEETINGS**

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

Jessica Collins, Meenakshi Ganjoo, Ryan McCarter, Chris Hakes, and Carmen Narayan were available to answer questions.

The Chairs of the IMC Subcommittees provided information relating to their respective meetings and provided feedback for full Committee consideration. The Committee discussed various edits and several topics, including financing and revenue; WIFIA loan rates; impacts on climate change; the use of additional graphics; the final environmental review of the Anderson Dam project; response times relating to hazardous materials management; promotion of work being done; accessibility options; flood protection levels; labor standards and wages; grants programs; and, next steps in the process.

The Committee took no formal action and requested that staff provide information to the Committee relating to Valley Water's NPDES requirements regarding Trash Capture Requirement for flood management agencies.

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

The Committee took no formal action.

**6. ADJOURN TO REGULAR MEETING AT 4:00 P.M. ON FEBRUARY 19, 2025**

Chairperson Hare adjourned the meeting at 5:55 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.:** 25-0179

**Agenda Date:** 2/19/2025

**Item No.:** 4.1.

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

### **SUBJECT:**

Report Drafting Committee Presents Final Independent Monitoring Committee (IMC) Annual Report for Fiscal Year 2023-2024.

### **RECOMMENDATION:**

Review and approve the Final Independent Monitoring Committee (IMC) Annual Report for fiscal year 2023-2024 (FY24).

### **SUMMARY:**

The IMC met on December 4, 2024, to begin its FY2023-2024 Program review process and elected a Chair and Vice Chair. 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 contained in "Appendix A: Financial Information" and "Appendix B: Inflation Assumptions".

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 subcommittee chairs presented their findings to the full IMC on January 31, 2025.

IMC members agreed that the subcommittee chairs, led by the Chair of the IMC, would draft the IMC report to the Board. The report was drafted on January 31, 2025, and the Draft IMC Annual Report Cover Letter (Attachment 1), the Draft Annual Report (Attachment 2), and the Draft Notes for Staff for Future Program Annual Reports (Attachment 3) are for review and finalization by the full IMC.

### **ATTACHMENTS:**

Attachment 1: IMC FY24 Draft IMC Annual Report Cover Letter

Attachment 2: IMC FY24 Draft Annual Report

Attachment 3: IMC FY24 Draft Notes for Staff for Future Program Annual Reports

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**File No.:** 25-0179

**Agenda Date:** 2/19/2025  
**Item No.:** 4.1.

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**UNCLASSIFIED MANAGER:**  
Luz Penilla, 408-630-2228



## Independent Monitoring Committee

Jeffrey Hare, Chair  
Susan M. Landry, Vice Chair

Hon. Patrick S. Kwok  
Bill Chuan  
Will Ector

George Fohner  
Rebecca Gallardo  
Bill Hoeft

Forest Peterson  
Marc Rouser  
Kathy Sutherland

February 19, 2025

To: Santa Clara Valley Water District Board of Directors  
Subject: Independent Monitoring Committee Report of Safe, Clean Water and Natural Flood Protection FY2023-2024 Annual Report

### SUMMARY

The Independent Monitoring Committee (IMC) presents its annual review of the renewed Safe, Clean Water and Natural Flood Protection Program (Program) for Fiscal Year 2023-2024 to the Santa Clara Valley Water District (Valley Water) Board of Directors (Board).

### PROCESS

The IMC met on December 4, 2024, to begin its FY2023-2024 Program review process and elected a Chair and Vice Chair. 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 contained in "Appendix A: Financial Information" and "Appendix B: Inflation Assumptions".

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 subcommittee chairs presented their findings to the full IMC on January 31, 2025.

IMC members agreed that the subcommittee chairs, led by the Chair of the IMC, would draft the IMC report to the Board. The draft report was presented to the IMC on February 19, 2025, for final edits and approval. The IMC report consists of three parts: overview concerns/recommendations about the Program (included in this letter), specific project recommendations for Board review (Attachment 1), and notes for Staff for future Program reports (Attachment 2).

### GENERAL RECOMMENDATIONS

This section is divided into three parts: A. Procedural Recommendations; B. Program Recommendations; and C. Specific Recommendations. Measure S expressly authorizes the IMC to make recommendations to the Board regarding reasonably necessary measures to meet the Priorities of the Program.

A. Procedural Recommendations

As previously noted in our 2024 report, the IMC encourages the Directors to take steps to make sure that each District has two representatives appointed and actively participating on the Committee. Due to vacancies, coupled with the inherent scheduling challenges faced by individual members who are often very involved and busy with other activities in their respective communities, securing a quorum to conduct the tasks mandated by Measure S becomes an issue, and invariably shifts the workload burden to the other members. The Committee urges each Director to do their part to ensure both the spirit and intent of the voter-approved measure is achieved as intended.

Overall, the Committee acknowledged that Staff had responded to prior requests to explain and clarify more specifically how the benefits of several of the individual projects addressed climate change. This resulted in a number of text adjustments to the projects but did not affect their status. The Committee continues to recommend, as a general matter, that as the public is becoming more and more aware of the impacts of climate change, Staff should provide more specific details on how some of these projects are actually beneficial in this context. The Committee feels that providing more specific details would serve to highlight and explain the significance of the ongoing work of the District in this regard.

The Committee felt it would be helpful if the Annual Report included some additional information concerning Anderson Reservoir, including that it can provide water directly to a treatment plant, and its significant role in terms of providing water supply to Santa Clara Valley. The Committee felt that this explanation would help to emphasize the importance of the seismic retrofit project.

The Committee continues to recommend that Staff work on improving the presentation of the Annual Report. Some of the graphs and charts were confusing, as indicated in the Notes, and in some cases, the selection of colors made it difficult for some members to read. In the same sense, some of the fonts used were exceptionally small and difficult to read. Overall, the Committee recommended that steps be taken to improve the accessibility elements of the presentation of the Report. In some instances, the Committee noted that additional photos, for example depicting examples of invasive species rather than broad landscape scenes, would be helpful for the reader. Staff also noted that the majority of individuals who access the Annual Report do so online, which allows for the individual reader to enlarge the text for greater legibility. Staff responded that they will continue to work on the optimum balance of providing information and graphics in the most legible and comprehensive format.

B. Program Recommendations

In 2023, the IMC recommended that an audit be scheduled in order to maintain the five-year schedule as originally adopted by the voters in the 2012 Program. On December 4, 2024, an audit performed in conjunction with the closeout of the 2012 Safe Clean Water and Natural Flood Protection Program was presented to the Committee. As reflected in the Minutes of that meeting, the Committee received the information and took no formal action. The Revised Safe, Clean Water and Natural Flood Protection Program was approved by the voters in 2020, and the Committee anticipates that a five-year audit will be provided to the Committee by the time it reconvenes in December 2025.

Generally, the Committee recommends that the Annual Report should provide greater clarity as to the specific sources of funding for the different projects and include a more detailed explanation or description of these sources, such as the Water Utility Enterprise Fund, the Watershed Stream Stewardship Fund, as well as the Safe, Clean Water and Natural Flood Protection Fund. In addition, the Committee noted that there are several references to the WIFIA loan program. However, the term is not defined in the List of Abbreviations in the Report, and although the District touts the low interest rates as one of the benefits of this program, the rates are not provided. In response to a question from the Committee, Staff responded that the WIFIA rate for the Anderson Dam Retrofit Project was 3.77%, and for the Pacheco Reservoir Expansion Project, 5.08%. Since these costs are borne by the taxpayers, the Committee recommends overall that additional details about the funds and costs associated with the various projects and programs funded, in whole or in part by Measure S, should be spelled out.

C. Specific Recommendations

With respect to Appendix C, Capital Projects, the Committee recommended that any changes to the confidence level from the previous year be highlighted (i.e., boldface), and an explanation for the change included in the narrative portion of the Report.

With respect to the Financial Appendices, the Committee requested that the summary chapter include information explaining the purpose and importance of long-term debts, repayment timeline, debt costs, the different financing options available, and how they support the program goals.

**TOURS AND PRESENTATIONS**

IMC members gain a greater understanding of Safe, Clean Water projects through tours and presentations. For FY2024-25, the IMC suggests the following:

**Site Tours**

1. Saratoga Creek Hazard Tree Removal and Restoration Project
2. Anderson Dam Seismic Retrofit Project
3. #####

Sincerely,

Jeffrey Hare, Chair  
Independent Monitoring Committee

February 19, 2025

Attachments:

1. IMC Fiscal Year 2023-2024 Annual Report
2. IMC Notes for Future Program Annual Reports

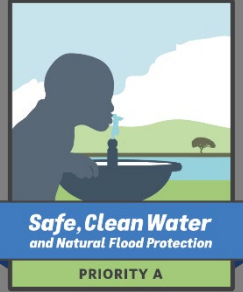
cc: Independent Monitoring Committee Members

DRAFT



Independent Monitoring Committee Report Fiscal Year 2023-2024  
Financial and Overall General Recommendations

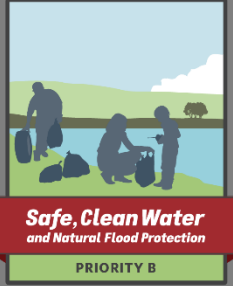
Topic:	Comments:
Maps and Graphs	Recommendations: <ul style="list-style-type: none"><li>• In maps, graphs, and presentations, use more differentiated colors, lines, symbols, etc., to improve accessibility.</li><li>• Explain the differences between the different funding sources.</li></ul>
Capital Projects	Recommendation: <ul style="list-style-type: none"><li>• Appendix C include and highlight any change in confidence levels from the previous year; Provide an explanation regarding the change in the project text.</li></ul>
Financial Appendices	Recommendation: <ul style="list-style-type: none"><li>• Include information in the summary chapter explaining the purpose and importance of long-term debts, repayment timeline, debt costs, the different financing options available, and how they support the program goals.</li></ul>
Annual Report paper	Recommendation: <ul style="list-style-type: none"><li>• Explore the use of recycled paper for reports.</li></ul>



Independent Monitoring Committee Report Fiscal Year 2023-2024  
Project Recommendations  
Priority A - Ensure a Safe, Reliable Water Supply

Project:		KPI:	Status		Comment:
			Annual:	Adjustment/ Modification:	
A1	Pacheco Reservoir Expansion	1. Provide a portion of funds, up to \$10 million, to help construct the Pacheco Reservoir Expansion Project.	Scheduled to Start	Not Implement & Adjusted (text)	IMC agrees with the project status. No recommendations.
A2	Water Conservation Rebates and Programs	1. Award up to \$1 million per year toward specified water conservation program activities, including rebates, technical assistance, and public education, within the first seven (7) years of the Program.	Active	Adjusted (text)	IMC agrees with the project status. No recommendations.
A3	Pipeline Reliability	1. Install four (4) new line valves on treated water distribution pipelines.	Active	Adjusted (text)	IMC agrees with the project status. No recommendations.



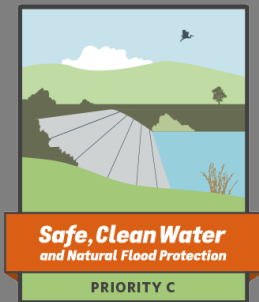


# Independent Monitoring Committee Report Fiscal Year 2023-2024

## Project Recommendations

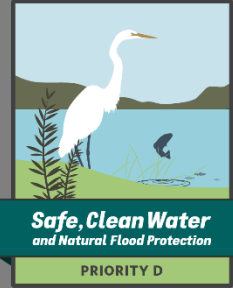
### Priority B – Reduce Toxins, Hazards, and Contaminants in Our Waterways

Project:		KPI:	Status:		Comment:
			Annual	Adjustment/Modification	
B1	Impaired Water Bodies Improvement	<ol style="list-style-type: none"> <li>Investigate, develop, and implement actions to reduce methylmercury in fish and other organisms in the Guadalupe River Watershed.</li> <li>Prepare and update a plan for the prioritization of surface water quality improvement activities, such as addressing trash and other pollutants.</li> <li>Implement at least two (2) priority surface water quality improvement activities identified in the plan per 5-year implementation period.</li> </ol>	Active	Adjusted (text)	IMC agrees with the project status. No recommendations.
B2	Inter-Agency Urban Runoff Program	<ol style="list-style-type: none"> <li>Address trash in creeks by maintaining trash capture devices or other litter control programs.</li> <li>Maintain Valley Water’s municipal stormwater compliance program and partner with cities to address surface water quality improvements, including participation in at least three (3) countywide, regional, or statewide stormwater program committees to help guide regulatory development, compliance, and monitoring.</li> <li>Support at least one (1) stormwater quality improvement activity per 5-year implementation period in Santa Clara County, including providing up to \$1.5 million over 15 years to support implementation of green stormwater infrastructure consistent with Santa Clara Basin and South County Stormwater Resource Plans.</li> </ol>	Active	Adjusted (text)	IMC agrees with the project status. No recommendations.
B3	Hazardous Materials Management and Response	<ol style="list-style-type: none"> <li>Respond to 100% of hazardous materials reports requiring urgent on-site inspection in two (2) hours or less.</li> </ol>	Active	None	IMC agrees with the project status. No recommendations.
B4	Support Volunteer Cleanup Efforts	<ol style="list-style-type: none"> <li>Fund Valley Water’s creek stewardship program to support volunteer cleanup activities, such as annual National River Cleanup Day, California Coastal Cleanup Day, the Great American Litter Pick Up, and the Adopt-A-Creek Program.</li> </ol>	Active	None	IMC agrees with the project status. No recommendations.



Independent Monitoring Committee Report Fiscal Year 2023-2024  
Project Recommendations  
Priority C - Protect Our Water Supply and Dams from Earthquakes and Other Natural Disasters

Project:		KPI:	Status:		Comment:
			Annual	Adjustment/ Modification	
C1	Anderson Dam Seismic Retrofit	1. Provide portion of funds, up to \$54.1 million, to help restore full operating reservoir capacity of 90,373 acre-feet.	Scheduled to Start	Adjusted (text)	IMC agrees with the project status. No recommendations.

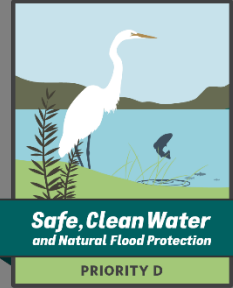


# Independent Monitoring Committee Report Fiscal Year 2023-2024

## Project Recommendations

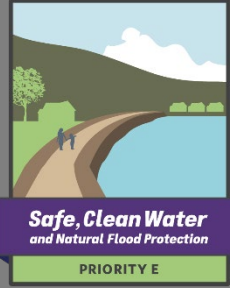
### Priority D - Restore Wildlife Habitat and Provide Open Space

Project:		KPI:	Status:		Comment:
			Annual	Adjustment/Modification	
D1	Management of Riparian Planting and Invasive Plant Removal	<ol style="list-style-type: none"> <li>1. Maintain a minimum of 300 acres of riparian planting projects annually to meet regulatory requirements and conditions.</li> <li>2. Maintain a minimum of 200 acres of invasive plant management projects annually to meet regulatory requirements and conditions.</li> <li>3. Remove 25 acres of Arundo donax throughout the county over a 15-year period.</li> </ol>	Active	Adjusted (text)	IMC agrees with the project status. No recommendations.
D2	Revitalize Riparian, Upland and Wetland Habitat	<ol style="list-style-type: none"> <li>1. Revitalize at least 21 acres over a 15-year period through native plant revegetation and/or removal of invasive exotic species.</li> <li>2. Develop an Early Detection and Rapid Response Program Manual.</li> <li>3. Identify and treat at least 100 occurrences of emergent invasive species over a 15-year period, as identified through the Early Detection and Rapid Response Program.</li> <li>4. Develop at least eight (8) information sheets for Early Detection of Invasive Plant Species.</li> </ol>	Active	None	IMC agrees with the project status. No recommendations.
D3	Sediment Reuse to Support Restoration Projects	<ol style="list-style-type: none"> <li>1. Reuse sediment meeting applicable screening criteria at available Valley Water or partnership project sites to support restoration.</li> <li>2. Provide up to \$4 million per 15-year period to support activities necessary for sediment reuse.</li> </ol>	Active	Adjusted (text)	IMC agrees with the project status. No recommendations.
D4	Fish Habitat and Passage Improvement	<ol style="list-style-type: none"> <li>1. Complete planning and design for one (1) creek/lake separation.</li> <li>2. Partially fund the construction of one (1) creek/lake separation project in partnership with local agencies.</li> <li>3. Use \$8 million for fish passage improvements by June 30, 2028.</li> <li>4. Update study of all major steelhead streams in the county to identify priority locations for fish migration barrier removal and installation of large woody debris and gravel as appropriate.</li> <li>5. Complete five (5) habitat enhancement projects based on studies that identify high priority locations for large wood, boulders, gravel, and/or other habitat enhancement features.</li> </ol>	Active	Adjusted (text & schedule)	IMC agrees with the project status. No recommendations.



Independent Monitoring Committee Report Fiscal Year 2023-2024  
Project Recommendations  
Priority D - Restore Wildlife Habitat and Provide Open Space

Project:		KPI:	Status:		Comment:
			Annual	Adjustment/ Modification	
D5	Ecological Data Collection and Analysis	<ol style="list-style-type: none"><li>1. Reassess and track stream ecological conditions and habitats in each of the county's five (5) watersheds every 15 years.</li><li>2. Provide up to \$500,000 per 15-year period toward the development and updates of five (5) watershed plans that include identifying priority habitat enhancement opportunities in Santa Clara County.</li></ol>	Active	Adjusted (text)	IMC agrees with the project status. No recommendations.
D6	Restoration of Natural Creek Functions	<ol style="list-style-type: none"><li>1. Construct the Hale Creek Enhancement Pilot Project, which includes restoration and stabilization of a 650-foot section of concrete-lined channel on Hale Creek, between Marilyn Drive and North Sunshine Drive on the border of Mountain View and Los Altos.</li><li>2. Construct the Bolsa Road Fish Passage Project along 1,700 linear feet of Uvas-Carnadero Creek in unincorporated Santa Clara County, which includes geomorphic design features that will restore stability and stream function.</li></ol>	Completed	Adjusted (text)	IMC agrees with the project status. No recommendations.
D7	Partnerships for the Conservation of Habitat Lands	<ol style="list-style-type: none"><li>1. Provide up to \$8 million per 15-year period for the acquisition or enhancement of property for the conservation of habitat lands.</li></ol>	Active	Adjusted (text)	IMC agrees with the project status. No recommendations.

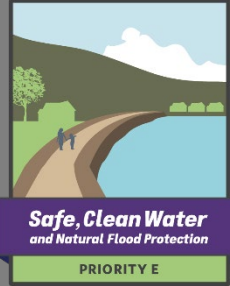


## Independent Monitoring Committee Report Fiscal Year 2023-2024

### Project Recommendations

Priority E - Provide Flood Protection to Homes, Businesses, Schools, Streets, and Highways

Project:		KPI:	Status:		Comment:
			Annual	Adjustment/Modification	
E1	Coyote Creek Flood Protection	1. Construct flood protection improvements along Coyote Creek between Montague Expressway and Tully Road to provide protection from floods up to the level that occurred on February 21, 2017, approximately a 5% (20-year) flood event.	Active	Adjusted (text)	IMC agrees with the project status. No recommendations.
E2	Sunnyvale East and Sunnyvale West Channels Flood Protection	1. Provide 1% (100-year) flood protection for 1,618 properties and 47 acres (11 parcels) of industrial land, while improving stream water quality and working with other agencies to incorporate recreational opportunities.	Active	Adjusted (text & schedule)	IMC agrees with the project status. No recommendations.
E3	Lower Berryessa Flood Protection, including Tularcitos and Upper Calera Creeks (Phase 3)	1. With local funding only: Complete the design phase of the 1% (100-year) flood protection project to protect an estimated 1,420 parcels.	Scheduled to Start	Adjusted (text)	IMC agrees with the project status. No recommendations.
E4	Upper Penitencia Creek Flood Protection	1. Preferred project with federal and local funding: Construct a flood protection project to provide 1% (100-year) flood protection to 8,000 parcels. 2. With local funding only: Construct a 1% (100-year) flood protection project from Coyote Creek confluence to Capital Avenue to provide 1% (100-year) flood protection to 1,250 parcels, including the new Berryessa BART station.	Active	Adjusted (text & schedule)	IMC agrees with the project status. No recommendations.
E5	San Francisquito Creek Flood Protection	1. Preferred project with federal, state and local funding: Protect more than 3,000 parcels by providing 1% (100-year) flood protection. 2. With state and local funding only: Protect approximately 3,000 parcels by providing 1% (100-year) flood protection downstream of Highway 101, and approximately 1.4% (70-year) protection upstream of Highway 101.	Active	Adjusted (text & schedule)	IMC agrees with the project status. No recommendations.

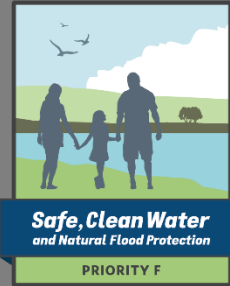


## Independent Monitoring Committee Report Fiscal Year 2023-2024

### Project Recommendations

Priority E - Provide Flood Protection to Homes, Businesses, Schools, Streets, and Highways

Project:		KPI:	Status:		Comment:
			Annual	Adjustment/ Modification	
E6	Upper Llagas Creek Flood Protection	<ol style="list-style-type: none"> <li>Preferred project with federal and local funding: Plan, design and construct flood protection improvements along 13.9 miles of Upper Llagas Creek from Buena Vista Avenue to Llagas Road to provide flood protection to 1,100 homes, 500 businesses, and 1,300 agricultural acres, while improving stream habitat.</li> <li>With local funding only: Construct flood protection improvements along Llagas Creek from Buena Vista Avenue to Highway 101 in San Martin (Reaches 4 and 5 (portion)), Monterey Road to Watsonville Road in Morgan Hill (Reach 7a), approximately W. Dunne Avenue to W. Main Avenue (portion of Reach 8), and onsite compensatory mitigation at Lake Silveira.</li> </ol>	Active	Adjusted (text & schedule)	IMC agrees with the project status. No recommendations.
E7	San Francisco Bay Shoreline Protection	<ol style="list-style-type: none"> <li>Provide a portion of the local share of funding for planning, design and construction phases for the Santa Clara County shoreline area, EIAs 1-4.</li> <li>Provide a portion of the local share of funding for planning and design phases for the Santa Clara County shoreline area, EIAs 5-9.</li> </ol>	Active	Adjusted (text)	IMC agrees with the project status. No recommendations.
E8	Upper Guadalupe River Flood Protection	<ol style="list-style-type: none"> <li>Preferred project with federal and local funding: Construct a flood protection project to provide 1% (100-year) flood protection to 6,280 homes, 320 businesses and 10 schools and institutions.</li> <li>With local funding only: Construct flood protection improvements along 4,100 feet of Guadalupe River between the Southern Pacific Railroad (SPRR) crossing, downstream of Willow Street, to the Union Pacific Railroad (UPRR) crossing, downstream of Padres Drive, and provide gravel augmentation along approximately 800 linear feet of the Upper Guadalupe River in San José, from approximately the Union Pacific Railroad Bridge to West Virginia Street Bridge to improve aquatic habitat for migrating steelhead and all native fish species and channel stability.</li> </ol>	Active	Modified & Adjusted (text)	IMC agrees with the project status. No recommendations.



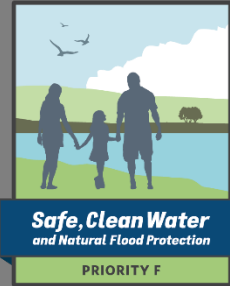
# Independent Monitoring Committee Report Fiscal Year 2023-2024

## Project Recommendations

### Priority F – Support Public Health and Public Safety for Our Community

Project:		KPI:	Status:		Comment:
			Annual	Adjustment/ Modification	
F1	Vegetation Control and Sediment Removal for Capacity	1. Maintain completed flood protection projects for flow conveyance.	Active	None	IMC agrees with the project status. No recommendations.
F2	Emergency Response Planning and Preparedness	1. Coordinate with local municipalities to merge Valley Water-endorsed flood emergency processes with their own emergency response plans and processes. 2. Complete five (5) flood management plans/procedures per 5-year period, selected by risk priorities. 3. Train Valley Water staff and partner municipalities annually on disaster procedures via drills and exercises before testing the plans and procedures. 4. Test flood management plans/procedures annually to ensure effectiveness.	Active	None	IMC agrees with the project status. No recommendations.
F3	Flood Risk Assessment Studies	1. Complete engineering studies on three (3) creek reaches to address 1% (100-year) flood risk. 2. Annually, update floodplain maps on a minimum of three (3) creek reaches in accordance with new FEMA standards.	Active	Adjusted (text)	IMC agrees with the project status. No recommendations.
F4	Vegetation Management for Access and Fire Safety	1. Provide vegetation management for access and fire risk reduction on an average of 495 acres per year, totaling 7,425 acres along levee, property lines and maintenance roads over a 15-year period.	Active	None	IMC agrees with the project status. No recommendations.
F5	Good Neighbor Program: Encampment Cleanup	1. Manage 300 acres annually to clean up trash, debris, and hazardous pollutants generated from encampments and to reduce the amount of these pollutants entering streams. 2. Provide up to \$500,000 per year in cost-share with local agencies for services related to encampment cleanups, including services supporting staff safety, discouraging re-encampments along waterways or addressing the socio-environmental crisis with the goal of reducing the need for encampment cleanups.	Active	None	IMC agrees with the project status. No recommendations.





# Independent Monitoring Committee Report Fiscal Year 2023-2024

## Project Recommendations

### Priority F – Support Public Health and Public Safety for Our Community

Project:		KPI:	Status:		Comment:
			Annual	Adjustment/ Modification	
F6	Good Neighbor Program: Graffiti and Litter Removal and Public Art	<ol style="list-style-type: none"> <li>Cleanup identified trash and graffiti hotspots at approximately 80 sites four (4) times per year.</li> <li>Respond to requests on litter or graffiti cleanup within five (5) working days.</li> <li>Provide up to \$1.5 million over 15 years to implement public art projects on Valley Water property and infrastructure.</li> </ol>	Active	None	IMC agrees with the project status. No recommendations.
F7	Emergency Response Upgrades	<ol style="list-style-type: none"> <li>Maintain existing capabilities for flood forecasting and warning.</li> <li>Improve flood forecast accuracy and emergency response time working with the National Weather Service and through research and development.</li> </ol>	Active	None	IMC agrees with the project status. No recommendations.
F8	Sustainable Creek Infrastructure for Continued Public Safety	<ol style="list-style-type: none"> <li>Provide up to \$7.5 million in the first 15-year period to plan, design and construct projects identified through Watersheds asset management plans.</li> </ol>	Active	None	IMC agrees with the project status. No recommendations.
F9	Grants and Partnerships for Safe, Clean Water, Flood Protection and Environmental Stewardship	<ol style="list-style-type: none"> <li>Provide a grant and partnership cycle each year for projects related to safe, clean drinking water, flood protection and environmental stewardship.</li> <li>Provide annual funding for bottle filling stations to increase drinking water accessibility, with priority for installations in economically disadvantaged communities and locations that serve school-age children and students.</li> <li>Provide annual mini-grant funding opportunity for projects related to safe, clean drinking water, flood protection and environmental stewardship.</li> <li>Provide up to \$3 million per 15-year period for a Creekside Neighbor Rebate Program for watershed activities, including bank repair, sediment removal, and downed tree management.</li> </ol>	On Hold	Modified & Adjusted (text)	IMC agrees with the project status. No recommendations.





# Independent Monitoring Committee Notes

## Fiscal Year 2023-2024

### Notes for future Annual Reports

### Safe, Clean Water and Natural Flood Protection Program

Subject:	Note:
Financial Appendices A-B	<ul style="list-style-type: none"> <li>• In Appendix A-3.1: Other Revenue, add a footnote to explain State Subventions.</li> <li>• In the Glossary section, change "Subventions" to "State Subventions."</li> <li>• Add "Step Increase" and "COLA" to the glossary.</li> <li>• Make the footnote font larger.</li> <li>• In Appendix B: Inflation Assumptions, find a better way to display the Benefits Rate.</li> </ul>
<b>A1:</b> Pacheco Reservoir Expansion	<ul style="list-style-type: none"> <li>• State what portion of water from Pacheco comes to Santa Clara County.</li> <li>• Fix the typos on page 11/12 regarding the Water Utility Enterprise Fund name.</li> <li>• Add a link to the Project E2: Sunnyvale East and Sunnyvale West Channels Flood Protection page when mentioning the project.</li> <li>• Remove Figure A1.5 pie chart as the project will not be funded by Fund 26.</li> </ul>
<b>A2:</b> Water Conservation Rebates and Programs	<ul style="list-style-type: none"> <li>• Clarify how the project reduces pollution.</li> </ul>
<b>A3:</b> Pipeline Reliability	<ul style="list-style-type: none"> <li>• In Figure A3.1, make the project locations bigger and colors and lines easier to distinguish.</li> </ul>
<b>C1:</b> Anderson Dam Seismic Retrofit	<ul style="list-style-type: none"> <li>• Clarify the identified fish species, Rainbow Trout vs. Steelhead.</li> <li>• Include information about how Anderson Reservoir is unique in that it can provide water directly to a treatment plant.</li> <li>• Include information highlighting the importance of Anderson Reservoir in terms of water supply.</li> </ul>



# Independent Monitoring Committee Notes

## Fiscal Year 2023-2024

### Notes for future Annual Reports

#### Safe, Clean Water and Natural Flood Protection Program

Subject:	Note:
<b>D1:</b> Management of Revegetation Projects	<ul style="list-style-type: none"> <li>• Include in the report that shade from mature trees helps moderate the water temperature of streams.</li> <li>• Enlarge Figure D1.9, the Revegetation Maintenance map, to make it easier to read.</li> </ul>
<b>D2:</b> Revitalize Riparian, Upland and Wetland Habitat	<ul style="list-style-type: none"> <li>• Include pictures of sensitive species and targeted invasive species.</li> <li>• The official name of the land is the Máyyan 'Ooyákma – Coyote Ridge Open Space Preserve. When referring to that preserve, use the full name.</li> </ul>
<b>D4:</b> Fish Habitat and Passage Improvement	<ul style="list-style-type: none"> <li>• Figure D4.9 presents the financial summary of five projects displayed in five rows, each representing different KPIs. Add the corresponding KPI numbers.</li> <li>• Add a photo in the white space next to each location map, to provide a little bit more information, especially the fish ladder.</li> </ul>
<b>D5:</b> Ecological Data Collection and Analysis	<ul style="list-style-type: none"> <li>• For KPI #2, include text stating how much of the 15-year allocation of \$500,000 has been expended.</li> <li>• In Figure D5.2 pie chart, increase the font size of the fund names printed within the pie chart.</li> <li>• In Figure D5.3 make it clear that the financial data is for the two KPIs combined.</li> </ul>
<b>D7:</b> Partnerships for the Conservation of Habitat Lands	<ul style="list-style-type: none"> <li>• Include a vicinity property location map, to provide context regarding other preserved land and acquisitions.</li> </ul>
<b>E1:</b> Coyote Creek Flood Protection	<ul style="list-style-type: none"> <li>• In Figure E1.1, clarify the difference between Phase 1 and Phase 2.</li> <li>• In Figures E1.2 and E1.3, include the project phases.</li> <li>• In Figure E1.3 add a note similar to the one in Figure E1.2</li> </ul>
<b>F2:</b> Emergency Response Planning and Preparedness	<ul style="list-style-type: none"> <li>• Add links to Projects F3: Flood Risk Assessment Studies and F7: Emergency Response Upgrades.</li> </ul>



## Independent Monitoring Committee Notes Fiscal Year 2023-2024 Notes for future Annual Reports Safe, Clean Water and Natural Flood Protection Program

Subject:

Note:

**F3:** Flood Risk Assessment Studies

- Define a steady state and an unsteady state model in the glossary.

DRAFT

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# Santa Clara Valley Water District

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**File No.:** 25-0162

**Agenda Date:** 2/19/2025

**Item No.:** 4.2.

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

### **SUBJECT:**

Receive Information on and Discuss Santa Clara Valley Water District's Proposed Amended Conflict of Interest Code.

### **RECOMMENDATION:**

Receive Information on and Discuss Santa Clara Valley Water District's Proposed Amended Conflict of Interest Code.

### **SUMMARY:**

Staff requests that the Committee review the proposed revisions to Santa Clara Valley Water District's (Valley Water) Conflict of Interest Code as shown on Attachment 1.

Human Resources Staff, in consultation with Valley Water management, are in the process of updating Valley Water's Conflict of Interest Code. Staff are recommending changes to update several new and/or obsolete employee classifications, as well as to adopt the recommendation of Valley Water's outside auditor to make all members of all Valley Water advisory committees, including this committee, subject to Valley Water's Conflict of Interest Code and reporting requirements. The proposed inclusion of all advisory committee members in Valley Water's proposed revised Conflict of Interest Code is consistent with the treatment of independent advisory committee members by several other government agencies in California and Santa Clara County.

All proposed Conflict of Interest Code updates have been reviewed and discussed with the Santa Clara County Clerk's Office, as the Filing Officer overseeing and managing all Form 700 filings for agencies within the County, including Valley Water.

A draft resolution and red-lined version of Valley Water's proposed amended Code, highlighting all proposed changes, as well as a clean copy of the proposed amended Code, are shown in Attachment 1.

### **Next Steps:**

Human Resources intends to submit the proposed revised Conflict of Interest Code to the Board for

approval in May of 2025.

**ATTACHMENTS:**

Attachment 1: Draft Resolution with Redlined and Clean Copy of Proposed Amended COI

**UNCLASSIFIED MANAGER:**

Anna Lee, 408-630-2052

Patrice McElroy, 408-630-3159

**BOARD OF DIRECTORS  
SANTA CLARA VALLEY WATER DISTRICT**

**RESOLUTION NO. 25-**

**AMENDING THE SANTA CLARA VALLEY WATER DISTRICT  
CONFLICT OF INTEREST CODE**

WHEREAS, under the Political Reform Act of 1974, the Santa Clara Valley Water District (Valley Water) is required to adopt a Conflict-of-Interest Code (Code) designating individuals subject to conflict-of-interest reporting requirements and to periodically review and update it as necessary, including but not limited to, a biennial review; and

WHEREAS, if a change is necessary, Valley Water is required to submit an amended Code to its code-reviewing body for approval; and

WHEREAS, the County of Santa Clara Board of Supervisors is the code-reviewing body for all local agencies whose jurisdiction is solely within the County, including Valley Water; and

WHEREAS, revisions to Valley Water's Code are appropriate or necessary to: (a) remove positions that are not involved in making or participating in making governmental decisions due to over-listing of positions in the prior Code and/or changes in positions or responsibilities; (b) add new positions to the Code which are involved in making or participation in making government decisions which may have a material financial effect on their financial interests; (c) add Valley Water advisory committees and their members in the interest of transparency; and (d) update disclosure categories.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the Santa Clara Valley Water District does hereby declare that the attached Santa Clara Valley Water District Amended Conflict of Interest Code with exhibits (redlined version showing changes is attached hereto as Exhibit A; clean/final version is attached hereto as Exhibit B) is adopted effective May 27, 2025, and shall be submitted for approval by the County of Santa Clara Board of Supervisors, and upon such date of approval, shall become effective and in force for Valley Water.

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by the following vote on May 27, 2025:

AYES: Directors

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

SANTA CLARA VALLEY WATER DISTRICT

\_\_\_\_\_  
TONY ESTREMER  
Chair, Board of Directors

ATTEST: MAXIMILLION OVERLAND, CMC

\_\_\_\_\_  
Interim Clerk, Board of Directors

# **EXHIBIT A COVERSHEET**

## **SANTA CLARA VALLEY WATER DISTRICT [PROPOSED] AMENDED CONFLICT OF INTEREST CODE (REDLINED VERSION)**

No. of Pages: 10

Exhibit Attachments: None



|

# **SANTA CLARA VALLEY WATER DISTRICT CONFLICT OF INTEREST CODE**

SANTA CLARA VALLEY WATER DISTRICT

AMENDED

CONFLICT OF INTEREST CODE

Approval Date:

TBD - Revisions to the Code to be Passed by

Resolution of Board of Directors on [May 27, 2025](#)

and

Approved by Board of Supervisors on

Board of Supervisors  
County of Santa Clara  
70 West Hedding Street  
San Jose, CA 95110

The Santa Clara Valley Water District hereby submits the appended Conflict of Interest Code for approval or other action pursuant to law. The Code is in standard form and Exhibit "A" has been modified to remove three classifications that no longer exist, add six new classifications, add five committees, and updating nineteen classification titles.

---

Tony Estremera  
Chair, Board of Directors

Received on behalf of the Board of Supervisors of the County of Santa Clara this \_\_\_\_\_, day of \_\_\_\_\_, 2025.

---

~~Tiffany Lennear~~ Curtis Boone  
Acting Clerk of the Board of Supervisors

The appended Conflict of Interest Code, having been submitted by Santa Clara Valley Water District, was approved by order of the Board of Supervisors on \_\_\_\_\_.

Other action (if any):

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Curtis Boone ~~Tiffany Lennear~~  
Acting Clerk of the Board of Supervisors

CONFLICT OF INTEREST CODE  
FOR  
SANTA CLARA VALLEY WATER DISTRICT

The Political Reform Act, Government Code Sections 81000, *et seq.*, requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the Exhibits "A", "B" and "C" in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Santa Clara Valley Water District. The complete text of 2 California Code of Regulations Section 18730 can be viewed on the Fair Political Practices Commission web page at: <http://www.fppc.ca.gov/content/dam/fppc/NS-Documents/LegalDiv/Regulations/Index/Chapter7/Article2/18730.pdf>[www.fppc.ca.gov](http://www.fppc.ca.gov).

Persons holding designated positions shall file Statements of Economic Interests with Valley Water's filing official. If statements are received in signed paper format, Valley Water's filing official shall make and retain a copy and forward the original statements to the filing officer, the County of Santa Clara Clerk of the Board of Supervisors. If Statements are electronically filed using the County of Santa Clara's Form 700 e-filing system, both Valley Water's filing official and the County of Santa Clara Clerk of the Board of Supervisors will receive access to the e-filed Statements simultaneously. Valley Water shall retain Statements of Economic Interests as public records available for public inspection and reproduction pursuant to Government Code section 81008.

## EXHIBIT "A"

### Designated Positions

- I. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 1 of Exhibit B.

[Agricultural Water Advisory Committee Member \(board committee added\)](#)  
~~ASM – Capital Program Planning & Analysis Manager~~ [\(classification removed\)](#)  
ASM - Civic Engagement Manager  
ASM - Communications Manager  
ASM - Construction [Procurement & Contracts Manager](#) ~~Support~~ [\(classification title updated\)](#)  
~~ASM – Emergency & Security Manager~~ [\(classification title updated to SSM - Security Manager\)](#)  
ASM - Environmental Health and Safety Manager  
ASM - Purchasing & Contracts Manager  
ASM - Real Estate Services Manager  
ASM - Risk Manager  
~~ASM – Watersheds Business Planning and Analysis Manager~~ [\(classification title updated to FSM – Watersheds Business Planning & Analysis\)](#)  
Assistant Chief Executive Officer  
Assistant District Counsel  
Assistant Officer  
~~Board Support Officer~~ [\(classification removed\)](#)  
Chief Executive Officer  
Chief Operating Officer  
Chief of External Affairs  
Chief of Staff  
Clerk of the Board  
Deputy Administrative Officer  
Deputy Clerk of the Board  
Deputy Operating Officer  
District Counsel  
EGM/[EWRM](#) - Asset Management Manager [\(classification title updated\)](#)  
~~EGM – Capital Engineering Manager~~ [\(classification title updated to EWRM – Capital Engineering Manager\)](#)  
EGM/[EWRM](#) - Community Projects Review Manager [\(classification title updated\)](#)  
~~EGM – Construction Manager~~ [\(classification title updated to EWRM – Construction Manager\)](#)  
EGM/[EWRM](#) - Hydrology, Hydraulics & Geomorphology Manager [\(classification title updated\)](#)  
EGM/[EWRM](#) - Operations & Maintenance Engineering Support Manager [\(classification title updated\)](#)  
EGM/[EWRM](#) - Water Policy & Planning Manager [\(classification title updated\)](#)  
[Environmental and Water Resources Committee Member \(board committee added\)](#)  
ESM - Environmental Mitigation & Monitoring Manager  
~~ESM – Environmental Services Manager – Water Utility~~ [\(classification removed\)](#)  
ESM - Environmental Services Manager – Watershed  
[ESSM – Construction Inspection Manager \(classification added\)](#)  
ESSM - Land Surveying & Mapping Manager  
[EWRM - Capital Engineering Manager \(classification title updated from EGM – Capital Engineering Manager\)](#)

[EWRM – Construction Manager \(classification title updated from EGM – Construction Manager\)](#)

FSM - Accounting Manager

FSM - Budget Manager

FSM - Financial Planning & Revenue Manager

FSM - Revenue Manager

FSM - Treasury & Debt Manager

[FSM - Watersheds Business Planning & Analysis Manager \(classification title updated from ASM – Watersheds Business Planning & Analysis Manager\)](#)

GSM - Facilities & Fleet Manager

IWM - Imported Water Manager

[Large Construction Manager \(classification added\)](#)

[Safe, Clean Water Independent Monitoring Committee Member \(board committee added\)](#)

[Santa Clara Valley Water Commission Alternate \(board committee added\)](#)

[Santa Clara Valley Water Commission Member \(board committee added\)](#)

Senior Assistant District Counsel

Senior Project Manager - Water Utility

Senior Project Manager - Watersheds

[SSM – Security Manager \(classification title updated from ASM – Emergency & Security Manager\)](#)

Supervising Land Surveyor

Supervising Well Ordinance Compliance Inspector

WRM/[EWRM](#) - Groundwater Management Manager [\(classification title updated\)](#)

WUOM/[EWRM](#) - Utility Operations & Maintenance Manager [\(classification title updated\)](#)

WUOM/[EWRM](#) - Water Treatment Manager [\(classification title updated\)](#)

WSOMM - Integrated Vegetation Manager

WSOMM - Watershed Field Operations Manager

WUOMM - Well & Water Measurement Manager

- II. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 2 of Exhibit B.

ASM - Employment Services Manager

ASM - Labor Relations Manager

ASM - Racial Equity Diversity & Inclusion Manager

Assistant Procurement Specialist

[Community Benefits Manager \(classification added\)](#)

Contracts Administrator I

Contracts Administrator II

Deferred Compensation Committee Alternate

Deferred Compensation Committee Member

[EGM – Dam Safety Program Manager \(classification title updated to EWRM – Dam Safety Program Manager\)](#)

EGM/[EWRM](#) - Electrical & Control Systems Engineering Manager- [\(classification title updated\)](#)

[EGM/EWRM – Engineering CADD Manager \(classification added\)](#)

EGM/[EWRM](#) - Utility Maintenance Engineering Manager [\(classification title updated\)](#)

[EGM/EWRM – Water Supply Operations Manager -\(classification title updated from WUOM – Water Supply Operations Manager\)](#)

[EWRM – Dam Safety Program Manager \(classification title updated from EGM\)](#)

[EWRM – Pacheco Project Manager \(classification added\)](#)

[FSM – Grants and Claims Manager -\(classification added\)](#)

Government Relations Advocate  
 GSM - Business ~~Support, -&~~ Customer ~~Service & Warehouse~~ Support Manager  
(classification title updated)  
 GSM - Engineering Support Manager  
 GSM - Records & Library Manager  
 ISM - Information Technology Manager  
 ISM - Information Technology Projects & Business Operations Manager  
 ISM - Systems Development & Support Manager  
 Management Analyst I, Purchasing & Consultant Contracts Services  
 Management Analyst II, Purchasing & Consultant Contracts Services  
 Principal Construction Contracts Administrator  
 Procurement Specialist  
 Program Administrator, Purchasing & Consultant Contracts Services  
 Senior Construction Contracts Administrator  
 Senior Management Analyst, Purchasing & Consultant Contracts Services  
 Senior Procurement Specialist  
 Senior Procurement Technician  
 Senior Project Manager - Administration  
 WRM - Laboratory Services Manager  
 WRM - Recycled & Purified Water Manager  
 WRM - Water Supply Planning & Conservation Manager  
 WRM/EWRM - Water Quality Manager (classification title updated)  
~~WUOM – Water Supply Operations Manager~~ (classification title updated to EGM/EWRM – Water Supply Operations Manager)  
 WUOMM - Utility Maintenance Manager - Distribution  
 WUOMM - Utility Maintenance Manager - Treatment

- III. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 3 of Exhibit B.

Associate Real Estate Agent  
 Senior Real Estate Agent

- IV. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 4 of Exhibit B.

None

- V. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 5 of Exhibit B.

Consultant

- VI. Newly Created Positions

A newly created position that makes or participates in the making of decisions that may foreseeably have a material effect on any financial interest of the position- holder, and which specific position title is not yet listed in Valley Water's conflict of interest code is included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation: The Chief Executive Officer (or Chief Executive Officer's designee) may determine in writing that a particular newly created position, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the broadest

| disclosure requirements, but instead must comply with more tailored disclosure requirements specific to that newly created position. Such written determination shall include a description of the newly created position's duties ~~and~~and based upon that description, a statement of the extent of the disclosure requirements. The Chief Executive Officer's (or Chief Executive Officer's designee's) determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code (Gov. Code Section 81008.)

As soon as Valley Water has a newly created position that must file statements of economic interests, Valley Water's filing official shall contact the County of Santa Clara Clerk of the Board of Supervisors Form 700 division to notify it of the new position title to be added in the County's electronic Form 700 record management system, known as eDisclosure. Upon this notification, the Clerk's office shall enter the actual position title of the newly created position into eDisclosure and Valley Water's filing official shall ensure that the name of any individual(s) holding the newly created position is entered under that position title in eDisclosure.

Additionally, within 90 days of the creation of a newly created position that must file statements of economic interests, Valley Water shall update this conflict of interest code to add the actual position title in its list of designated positions, and submit the amended conflict of interest code to the County of Santa Clara Office of the County Counsel for code-reviewing body approval by the County Board of Supervisors. (Gov. Code Sec. 87306.)



## **EXHIBIT “B”**

### **Disclosure Categories**

#### Category 1

Designated persons in this category must report all interests in real property located entirely or partly within the boundaries of Valley Water, or within two miles of Valley Water boundaries, or of any land owned or used by Valley Water, as well as investments, business positions and sources of income, including gifts, loans and travel payments.

#### Category 2

Designated persons in this category must report all investments, business positions and sources of income, including gifts, loans and travel payments from sources that provide leased facilities, goods, equipment, vehicles, machinery, or services, including training or consulting services, of the type utilized by Valley Water.

#### Category 3

Designated persons in this category must report all interests in real property located entirely or partly within the boundaries of Valley Water, or within two miles of Valley Water boundaries, or of any land owned or used by Valley Water, as well as investments in, business positions with, and income (including gifts, loans, and travel payments) from all sources that are engaged in any real estate activity including, but not limited to, real estate appraisal, development, construction, planning/architectural design, engineering, sales, brokerage, leasing, lending, insurance, rights of way, and/or studies; and/or property or facilities management/maintenance/custodial and utility services as used by Valley Water or provides capital for the purchase of property used or sold by Valley Water.

#### Category 4

Designated persons in this category must report all investments in, business positions with, and income (including gifts, loans, and travel payments, and income from a nonprofit organization) from sources of the type to receive grants or other monies from or through Valley Water.

#### Category 5

Consultants, as defined for purposes of the Political Reform Act, shall disclose pursuant to the broadest disclosure category in Valley Water’s conflict of interest code (Category 1) subject to the following limitation: The Chief Executive Officer (or Chief Executive Officer’s designee) may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that are limited in scope and thus is not required to comply fully with the disclosure requirement of the broadest disclosure category, but instead must comply with more tailored disclosure requirements specific to that consultant. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Chief Executive Officer’s (or Chief Executive Officer’s designee’s) determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

**EXHIBIT "C"**  
**GOVERNMENT CODE SECTION 87200 FILERS**

Pursuant to Government Code section 87200, officials who manage public investments as defined by 2 California Code of Regulations section 18700.3(b) are subject to the disclosure and disqualification provisions set forth in the Political Reform Act (Government Code Title 9, Chapter 7, Article 2) and are required to file full Statements of Economic Interests.

Valley Water has determined that the holders of the positions listed below are officials who manage public investments. These positions are not subject to Valley Water's code but are listed here for informational purposes only.

- (1) Member, Board of Directors
- (2) Chief Financial Officer

Government Code section 87200 filers shall file Statements of Economic Interests with Valley Water's filing official. If statements are received in signed paper format, Valley Water's filing official shall make and retain a copy and forward the original statements to the filing officer, the County of Santa Clara Clerk of the Board of Supervisors. If Statements are electronically filed using the County of Santa Clara's Form 700 e-filing system, both Valley Water's filing official and the County of Santa Clara Clerk of the Board of Supervisors will receive access to the e-filed Statements simultaneously. Valley Water shall retain Statements of Economic Interests as public records available for public inspection and reproduction pursuant to Government Code section 81008.

# **EXHIBIT B COVERSHEET**

## **SANTA CLARA VALLEY WATER DISTRICT [PROPOSED] AMENDED CONFLICT OF INTEREST CODE (CLEAN/FINAL)**

No. of Pages: 9

Exhibit Attachments: None

# **SANTA CLARA VALLEY WATER DISTRICT CONFLICT OF INTEREST CODE**

SANTA CLARA VALLEY WATER DISTRICT

AMENDED

CONFLICT OF INTEREST CODE

Approval Date:

TBD - Revisions to the Code to be Passed by  
Resolution of Board of Directors on May 27, 2025

and

Approved by Board of Supervisors on

Board of Supervisors  
County of Santa Clara  
70 West Hedding Street  
San Jose, CA 95110

The Santa Clara Valley Water District hereby submits the appended Conflict of Interest Code for approval or other action pursuant to law. The Code is in standard form and Exhibit "A" has been modified to remove three classifications that no longer exist, add six new classifications, add five committees, and updating nineteen classification titles.

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Tony Estremera  
Chair, Board of Directors

Received on behalf of the Board of Supervisors of the County of Santa Clara this \_\_\_\_\_,  
day of \_\_\_\_\_, 2025.

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Curtis Boone  
Acting Clerk of the Board of Supervisors

The appended Conflict of Interest Code, having been submitted by Santa Clara Valley Water District, was approved by order of the Board of Supervisors on \_\_\_\_\_.

Other action (if any):

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Curtis Boone  
Acting Clerk of the Board of Supervisors

CONFLICT OF INTEREST CODE  
FOR  
SANTA CLARA VALLEY WATER DISTRICT

The Political Reform Act, Government Code Sections 81000, *et seq.*, requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the Exhibits "A", "B" and "C" in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Santa Clara Valley Water District. The complete text of 2 California Code of Regulations Section 18730 can be viewed on the Fair Political Practices Commission web page at: [www.fppc.ca.gov](http://www.fppc.ca.gov).

Persons holding designated positions shall file Statements of Economic Interests with Valley Water's filing official. If statements are received in signed paper format, Valley Water's filing official shall make and retain a copy and forward the original statements to the filing officer, the County of Santa Clara Clerk of the Board of Supervisors. If Statements are electronically filed using the County of Santa Clara's Form 700 e-filing system, both Valley Water's filing official and the County of Santa Clara Clerk of the Board of Supervisors will receive access to the e-filed Statements simultaneously. Valley Water shall retain Statements of Economic Interests as public records available for public inspection and reproduction pursuant to Government Code section 81008.

**EXHIBIT “A”**  
**Designated Positions**

- I. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 1 of Exhibit B.

Agricultural Water Advisory Committee Member  
ASM - Civic Engagement Manager  
ASM - Communications Manager  
ASM - Construction Procurement & Contracts Manager  
ASM - Environmental Health and Safety Manager  
ASM - Purchasing & Contracts Manager  
ASM - Real Estate Services Manager  
ASM - Risk Manager  
Assistant Chief Executive Officer  
Assistant District Counsel  
Assistant Officer  
Chief Executive Officer  
Chief Operating Officer  
Chief of External Affairs  
Chief of Staff  
Clerk of the Board  
Deputy Administrative Officer  
Deputy Clerk of the Board  
Deputy Operating Officer  
District Counsel  
EGM/EWRM - Asset Management Manager  
EGM/EWRM - Community Projects Review Manager  
EGM/EWRM - Hydrology, Hydraulics & Geomorphology Manager  
EGM/EWRM - Operations & Maintenance Engineering Support Manager  
EGM/EWRM - Water Policy & Planning Manager  
Environmental and Water Resources Committee Member  
ESM - Environmental Mitigation & Monitoring Manager  
ESM - Environmental Services Manager – Watershed  
ESSM – Construction Inspection Manager  
ESSM - Land Surveying & Mapping Manager  
EWRM - Capital Engineering Manager  
EWRM – Construction Manager  
FSM - Accounting Manager  
FSM - Budget Manager  
FSM - Financial Planning & Revenue Manager  
FSM - Revenue Manager  
FSM - Treasury & Debt Manager  
FSM - Watersheds Business Planning & Analysis Manager  
GSM - Facilities & Fleet Manager  
IWM - Imported Water Manager  
Large Construction Manager  
Safe, Clean Water Independent Monitoring Committee Member  
Santa Clara Valley Water Commission Alternate  
Santa Clara Valley Water Commission Member  
Senior Assistant District Counsel  
Senior Project Manager - Water Utility



Senior Project Manager - Watersheds  
 SSM – Security Manager  
 Supervising Land Surveyor  
 Supervising Well Ordinance Compliance Inspector  
 WRM/EWRM - Groundwater Management Manager  
 WUOM/EWRM - Utility Operations & Maintenance Manager  
 WUOM/EWRM - Water Treatment Manager  
 WSOMM - Integrated Vegetation Manager  
 WSOMM - Watershed Field Operations Manager  
 WUOMM - Well & Water Measurement Manager

II. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 2 of Exhibit B.

ASM - Employment Services Manager  
 ASM - Labor Relations Manager  
 ASM - Racial Equity Diversity & Inclusion Manager  
 Assistant Procurement Specialist  
 Community Benefits Manager Contracts Administrator I  
 Contracts Administrator II  
 Deferred Compensation Committee Alternate  
 Deferred Compensation Committee Member  
 EGM/EWRM - Electrical & Control Systems Engineering Manager  
 EGM/EWRM – Engineering CADD Manager  
 EGM/EWRM - Utility Maintenance Engineering Manager  
 EGM/EWRM – Water Supply Operations Manager  
 EWRM – Dam Safety Program Manager  
 EWRM – Pacheco Project Manager  
 FSM – Grants and Claims Manager  
 Government Relations Advocate  
 GSM - Business Support, Customer Service & Warehouse Manager  
 GSM - Engineering Support Manager  
 GSM - Records & Library Manager  
 ISM - Information Technology Manager  
 ISM - Information Technology Projects & Business Operations Manager  
 ISM - Systems Development & Support Manager  
 Management Analyst I, Purchasing & Consultant Contracts Services  
 Management Analyst II, Purchasing & Consultant Contracts Services  
 Principal Construction Contracts Administrator  
 Procurement Specialist  
 Program Administrator, Purchasing & Consultant Contracts Services  
 Senior Construction Contracts Administrator  
 Senior Management Analyst, Purchasing & Consultant Contracts Services  
 Senior Procurement Specialist  
 Senior Procurement Technician  
 Senior Project Manager - Administration  
 WRM - Laboratory Services Manager  
 WRM - Recycled & Purified Water Manager  
 WRM - Water Supply Planning & Conservation Manager  
 WRM/EWRM - Water Quality Manager  
 WUOMM - Utility Maintenance Manager - Distribution  
 WUOMM - Utility Maintenance Manager - Treatment

- III. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 3 of Exhibit B.

Associate Real Estate Agent  
Senior Real Estate Agent

- IV. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 4 of Exhibit B.

None

- V. Persons occupying the following positions are designated employees and must disclose financial interests defined in Category 5 of Exhibit B.

Consultant

- VI. Newly Created Positions

A newly created position that makes or participates in the making of decisions that may foreseeably have a material effect on any financial interest of the position- holder, and which specific position title is not yet listed in Valley Water's conflict of interest code is included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation: The Chief Executive Officer (or Chief Executive Officer's designee) may determine in writing that a particular newly created position, although a "designated position," is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the broadest disclosure requirements, but instead must comply with more tailored disclosure requirements specific to that newly created position. Such written determination shall include a description of the newly created position's duties and based upon that description, a statement of the extent of the disclosure requirements. The Chief Executive Officer's (or Chief Executive Officer's designee's) determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code (Gov. Code Section 81008.)

As soon as Valley Water has a newly created position that must file statements of economic interests, Valley Water's filing official shall contact the County of Santa Clara Clerk of the Board of Supervisors Form 700 division to notify it of the new position title to be added in the County's electronic Form 700 record management system, known as eDisclosure. Upon this notification, the Clerk's office shall enter the actual position title of the newly created position into eDisclosure and Valley Water's filing official shall ensure that the name of any individual(s) holding the newly created position is entered under that position title in eDisclosure.

Additionally, within 90 days of the creation of a newly created position that must file statements of economic interests, Valley Water shall update this conflict of interest code to add the actual position title in its list of designated positions, and submit the amended conflict of interest code to the County of Santa Clara Office of the County Counsel for code-reviewing body approval by the County Board of Supervisors. (Gov. Code Sec. 87306.)

## **EXHIBIT “B”**

### **Disclosure Categories**

#### Category 1

Designated persons in this category must report all interests in real property located entirely or partly within the boundaries of Valley Water, or within two miles of Valley Water boundaries, or of any land owned or used by Valley Water, as well as investments, business positions and sources of income, including gifts, loans and travel payments.

#### Category 2

Designated persons in this category must report all investments, business positions and sources of income, including gifts, loans and travel payments from sources that provide leased facilities, goods, equipment, vehicles, machinery, or services, including training or consulting services, of the type utilized by Valley Water.

#### Category 3

Designated persons in this category must report all interests in real property located entirely or partly within the boundaries of Valley Water, or within two miles of Valley Water boundaries, or of any land owned or used by Valley Water, as well as investments in, business positions with, and income (including gifts, loans, and travel payments) from all sources that are engaged in any real estate activity including, but not limited to, real estate appraisal, development, construction, planning/architectural design, engineering, sales, brokerage, leasing, lending, insurance, rights of way, and/or studies; and/or property or facilities management/maintenance/custodial and utility services as used by Valley Water or provides capital for the purchase of property used or sold by Valley Water.

#### Category 4

Designated persons in this category must report all investments in, business positions with, and income (including gifts, loans, and travel payments, and income from a nonprofit organization) from sources of the type to receive grants or other monies from or through Valley Water.

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**GOVERNMENT CODE SECTION 87200 FILERS**

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