



BOARD OF DIRECTORS MEETING

---

# MINUTES

---

**CLOSED SESSION AND REGULAR MEETING  
TUESDAY, MARCH 10, 2026  
11:00 AM**

(Paragraph numbers coincide with agenda item numbers)

**1. CALL TO ORDER/ROLL CALL:**

A Closed Session and Regular Meeting of the Santa Clara Valley Water District (Valley Water) Board of Directors was called to order at 11:00 a.m. in the Valley Water Headquarters Building Boardroom at 5700 Almaden Expressway, San Jose, California, and by Zoom teleconference.

1.1. Roll Call.

Board members in attendance were Shiloh Ballard, Jim Beall, Nai Hsueh, Richard P. Santos, and Tony Estremera, Chairperson presiding, constituting a quorum of the Board. Director Rebecca Eisenberg arrived as noted below.

Board Member John L. Varela participated via Zoom pursuant to AB 2449 due to illness.

Staff members in attendance were Carlos Orellana, District Counsel; Candice Kwok-Smith, Clerk, Board of Directors; A. Baker, L. Bankosh, M. Bilski, S. Bogale, J. Bourgeois, R. Chan, J. Codianne, R. Gibson, A. Gschwind, C. Hakes, C. Lawson, A. Lee, R. McCarter, P. McElroy, T. Ndah, L. Penilla, D. Taylor, G. Williams, and T. Yoke.

Assistant Chief Executive Officer Rita Chan represented Interim Chief Executive Officer Melanie Richardson. Chief Operating Officer Aaron Baker represented Assistant Chief Executive Officer Rita Chan. Deputy Operating Officer Sam Bogale represented Chief Operating Officer Aaron Baker.

**2. 11:00 AM - CLOSED SESSION:**

Chairperson Estremera confirmed that the Board would adjourn to Closed Session to consider Items 2.1 and 2.2.

Carlos Orellana, District Counsel, reported in regard to Item 2.1, the facts and circumstances giving rise to the Closed Session Item include various allegations of harassment, discrimination, abusive conduct and retaliation.

Director Eisenberg arrived.

- 2.1. CLOSED SESSION  
CONFERENCE WITH LEGAL COUNSEL - Anticipated Litigation  
Pursuant to Government Code Section 54956.9(d)(2)  
Number of cases: multiple
- 2.2. CLOSED SESSION  
PUBLIC EMPLOYEE APPOINTMENT  
Pursuant to Government Code Section 54957(b)(1)  
Title: Chief Executive Officer
- 2.3. District Counsel Report on Closed Session.

Carlos Orellana, District Counsel, reported that regarding Item 2.1, the Board met in Closed Session with all members participating, including Directors Eisenberg and Varela, and took no reportable action.

Chairperson Estremera reported that regarding Item 2.2, the Board met in Closed Session with all members participating, including Directors Eisenberg and Varela, and discussed the Chief Executive Officer recruitment process and decided to appoint a committee to facilitate the recruitment, along with robust employee participation in the selection process.

**3. 1:00 PM - TIME CERTAIN:**

- 3.1. Pledge of Allegiance/National Anthem.

Director Beall led all present in reciting the Pledge of Allegiance.

- 3.2. Orders of the Day.

Chairperson Estremera confirmed that there were no changes to the Orders of the Day.

Candice Kwok-Smith, Clerk of the Board, requested that Director Varela state for the record if there are any individuals over 18 years of age present in the room, and if so, state the general relationship to the individual, and confirmed that all votes for the meeting would be roll-call votes in compliance with AB 2449. Director Varela confirmed that no individuals over the age of 18 were present in the room.

- 3.3. Time Open for Public Comment on any Item not on the Agenda.

Chairperson Estremera declared time open for public comment on any subject not on the agenda.

Public comments were received by the Board from Tanya Moniz-Witten, San Jose Water Company Representative; Brian Dailey, undisclosed residency; Velia Mariscal, Valley Water Employee; Gary Ferraris, AFSCME Local 101/Council 57; Robert Ewing, Valley Water Employee Association (EA) President; Salam Baqleh, Valley Water EA Vice-President; Chris Pilson, AFSCME Local 101; Johnathan Burgess, Valley Water Professional Management Association (PMA) Interim President; Katie Muller, Valley Water Engineers Society (ES) President; Heidi Williams, Women of Water Employee Resource Group (ERG) President; Victoria Garcia, Valley Water Employee; Eric Karo, Valley Water Employee; Debra Dake, Valley Water Employee; Marisela Garcia Benitez, Valley Water Employee; Sunny Williams, Valley Water Employee; Abigail Stoke, Valley Water

Employee; Chris Jones, Valley Water Employee; Lori Gregory, Valley Water Employee; Betty Williams, National African American Civil Rights Organization (NAACRO) President; Donna, NAACRO member; Veronica Mora, NAACRO member; Sharon Williams, NAACRO member; Yvonne Hervey, NAACRO member; Lucas, NAACRO member; Deborah Goldeen, Palo Alto resident; Danielle DeRuiter-Williams, former Justice Collective employee; Odilia Teixeira, former Valley Water employee; Peter Van Dyke, Loma Prieta Resource Conservation District; Meg Giberson, undisclosed residency; Lou Walker, former President of Antelope Valley NAACP; Rose Corona, undisclosed residency; Lesly, undisclosed residency; Matthew Beeston, Carpenters Union representative; Walter Gonzalez, Valley Water Employee; and Dustin Candler, former NAACP member.

3.4. Authorize Distribution of Santa Clara Valley Water District’s Capital Improvement Program Draft Fiscal Years 2027-31 Five-Year Plan.

- Recommendation:
- A. Review the Capital Improvement Program Draft Fiscal Years 2027-31 Five-Year Plan; and
  - B. Authorize release of the document to all cities and land use authorities in Santa Clara County and the County of Santa Clara for review as to its consistency with their General Plans.

Luz Penilla, Assistant Officer, reviewed the information on this Item, per the attached Board Agenda Memo and per the information contained in Attachment 3.

Motion: Authorize release of the Capital Improvement Program Draft Fiscal Years 2027-31 Five-Year Plan to all cities and land use authorities in Santa Clara County and the County of Santa Clara for review as to its consistency with their General Plans.

Move to Authorize: Nai Hsueh  
Second: Shiloh Ballard  
Yeas: Jim Beall, John L. Varela, Nai Hsueh, Richard Santos, Shiloh Ballard, Tony Estremera  
Nays: None  
Abstains: Rebecca Eisenberg  
Recuses: None  
Absent: None  
Summary: 6 Yeas; 0 Nays; 1 Abstains; 0 Absent.

The motion passed by roll call vote.

- 3.5. Receive the Fiscal Year 2026-27 Second Pass Biennial Budget Overview.

Recommendation: Receive and discuss the overview of the Santa Clara Valley Water District's Fiscal Year 2026-27 Second Pass Biennial Budget.

Enrique De Anda, Budget Manager, reviewed the information on this Item, per the attached Board Agenda Memo and per the information contained in Attachment 3.

The Board noted the information without formal action.

- 3.6. Receive the Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee's Annual Report for Fiscal Year 2024-2025.

Recommendation: Receive the Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee's Annual Report for Fiscal Year 2024-2025.

Luz Penilla, Assistant Officer, reviewed the information on this item, per the attached Board Agenda Memo, and Mark Rauser, Vice Chair, Independent Monitoring Committee, reviewed the information contained in Attachment 2.

The Board noted the information without formal action.

#### **REGULAR AGENDA:**

#### **4. CONSENT CALENDAR: (4.1 - 4.6)**

The Board considered Consent Calendar Items 4.1 through 4.6 under one motion.

- 4.1. Adopt a Resolution Commemorating March 8-14, 2026, as Groundwater Awareness Week.

Recommendation: Adopt the Resolution COMMEMORATING MARCH 8-14, 2026, AS GROUNDWATER AWARENESS WEEK.

- 4.2. Approve and Execute Amendment No. 1 to Agreement No. A5101G with TruePoint Solutions, LLC., d/b/a GovPath, for the Utility Billing System Selection and Implementation Services Project, Increasing the Not-to-Exceed Fee by \$64,750 for a Total Revised Not-to-Exceed Fee of \$517,275 and Extending the Term to December 31, 2026.

Recommendation: Approve and execute Amendment No. 1 to Agreement No. A5101G with TruePoint Solutions, LLC, doing business as GovPath, for our Utility Billing System Selection & Implementation Services Project, increasing the not-to-exceed (NTE) fee by \$64,750 for a total revised NTE fee of \$517,275 and extending the term two months, to December 31, 2026.

- 4.3. Approve the Board of Directors' Quarterly Expense Report for the Quarter Ending December 31, 2025.

Recommendation: A. Review the Board of Directors' Quarterly Expense Report for the quarter ending December 31, 2025; and

B. Approve the Report if the reimbursements comply with Board Policy.

4.4. Accept Management Response to the Independent Monitoring Committee Report on the Safe, Clean Water and Natural Flood Protection Program Annual Report for Fiscal Year 2024-2025.

Recommendation: A. Accept Management Response to the Independent Monitoring Committee Report on the Safe, Clean Water and Natural Flood Protection Program Annual Report for Fiscal Year 2024-2025; and  
B. Provide additional direction as necessary.

4.5. Approval of Minutes from February 10, and February 20, 2026.

Recommendation: Approve the minutes from February 10, and February 20, 2026.

4.6. Accept the CEO Bulletin for the Weeks of February 20 Through March 5, 2026.

Recommendation: Accept the CEO Bulletin.

Motion: Approve Consent Calendar Items 4.1 through 4.5, under one motion, as follows: adopt Resolution No. 2026-14, COMMEMORATING MARCH 8-14, 2026 AS GROUNDWATER AWARENESS WEEK, by roll call vote, as contained in Items 4.1; approve and execute Amendment No. 1 to Agreement No. A5101G with TruePoint Solutions, LLC, doing business as GovPath, for our Utility Billing System Selection and Implementation Services Project, increasing the not-to-exceed (NTE) fee by \$64,750 for a total revised NTE fee of \$517,275 and extending the term two months, to December 31, 2026, as contained in Item 4.2; review the Board of Directors' quarterly expense report for the quarter ending December 31, 2025 and approve the report if the reimbursements comply with Board policy, as contained in Item 4.3; accept management response to the Independent Monitoring Committee report on the Safe, Clean Water and Natural Flood Protection Program annual report for fiscal year 2024-2025, as contained in Item 4.4; approve the minutes from February 10, and February 20, 2026, as contained in Item 4.5; and accept the CEO Bulletin, as contained in Item 4.6.

Move to Approve: Richard Santos

Second: Shiloh Ballard

Director Hsueh requested the motion be amended to approve the Consent Calendar with a correction to Item 4.4 to Accept the Management Response to the IMC Report on the SCWNFPP Annual Report for FY 2024-2025's Attachment 1, page 11, Line Item F3, Staff's Response to be updated to correct typo and assert that Staff Agrees with Recommendation.

Motion: Approve the Consent Calendar with a correction to Item 4.4 to Accept the Management Response to the IMC Report on the SCWNFPP Annual Report for FY 2024-2025's Attachment 1, page 11, Line Item F3, Staff's

Response to be updated to correct typo and assert that Staff Agrees with Recommendation.

Move to Approve  
as Amended: Richard Santos  
Second: Shiloh Ballard  
Yeas: Jim Beall, John L. Varela, Nai Hsueh, Richard Santos,  
Shiloh Ballard, Tony Estremera  
Nays: None  
Abstains: Rebecca Eisenberg  
Recuses: None  
Absent: None  
Summary: 6 Yeas; 0 Nays; 1 Abstains; 0 Absent.

The amended motion passed by roll call vote.

## 5. BOARD OF DIRECTORS:

### 5.1. Board Committee Reports.

The Board reviewed the meeting summaries and agendas for the December 15, 2025, Capital Improvement Program (CIP); January 5, 2026, Agricultural Water Advisory Committee (AWAC); January 20, 2026, Environmental Creek Cleanup Committee (ECCC); January 26, 2026, Environmental and Water Resources Committee (EWRC); January 28, 2026, Santa Clara Valley Water District Water Commission (SCVWD WC); January 28, 2026, Youth Commission (YC); January 29, 2026, Safe Clean Water Independent Monitoring Committee (IMC); February 9, 2026, Board Policy and Monitoring Committee (BPMC); February 18, 2026, IMC; and March 12, 2026, Stream Planning & Operations Committee (SPOC), as contained in Handouts 5.1-A through 5.1-J, respectively herein, and no formal action was taken. Copies of the Handouts were distributed to the Board and made available to the public.

## 6. WATER UTILITY ENTERPRISE:

### 6.1. Authorize the Chief Executive Officer to Negotiate and Execute a Rate Agreement with the Power and Water Resources Pooling Authority for Development of the Almaden Campus Solar Carport 2 Project, at a Not-to-Exceed Rate of \$203 Per Megawatt-Hour with 2% Annual Rate Escalation (San Jose, District 4).

Recommendation: Authorize the Chief Executive Officer to execute a Rate Agreement with the Power and Water Resources Pooling Authority for the development of the Almaden Campus Solar Carport 2 Project at a not-to-exceed rate of \$203 per megawatt-hour in year one (1), with 2% annual rate escalation.

Sam Bogale, Acting Chief Operating Officer, reviewed the information on this Item, per the attached Board Agenda Memo and per the information contained in Attachment 1.

Director Hsueh left the meeting and returned, as noted below.

Move to Authorize: Richard Santos  
Second: John L. Varela  
Yeas: Jim Beall, John L. Varela, Richard Santos, Shiloh Ballard,  
Tony Estremera  
Nays: Rebecca Eisenberg  
Abstains: None  
Recuses: None  
Absent: Nai Hsueh  
Summary: 5 Yeas; 1 Nays; 0 Abstains; 1 Absent.

The motion passed by roll call vote.

Director Hsueh returned.

**7. WATERSHEDS:**

None.

**8. ASSISTANT CHIEF EXECUTIVE OFFICER:**

None.

**9. EXTERNAL AFFAIRS:**

None.

**10. CHIEF EXECUTIVE OFFICER:**

10.1. CEO and Chiefs' Reports.

Rita Chan, Acting Chief Executive Officer, reviewed the attached Office of Civic Engagement Report, identified as Handout 10.1-A, herein. Copies of the Handouts were distributed to the Board and made available to the public.

**11. ADMINISTRATION:**

None.

**12. DISTRICT COUNSEL:**

None.

**13. BOARD POLICY PLANNING CALENDAR/PROPOSED FUTURE BOARD AGENDA ITEMS:**

13.1. Review the Fiscal Year 2026 Board Policy Planning Calendar.

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

The Board noted the information without formal action.

**14. BOARD MEMBER REPORTS/ANNOUNCEMENTS:**

Director Ballard reported the regular CEO check in meeting, attending the Joint Venture Silicon Valley State of the Valley Conference, an Elk's Lodge Constituent meeting, the Landscape Summit; briefing with Community and Projects Review Unit staff, the Town Hall Event featuring a Special Panel Discussion; an interview with CIP auditor George Skiles, and various meetings with staff.

Director Beall reported attending the aforementioned Joint Venture Silicon Valley State of the Valley Conference, a California State Assemblyman Patrick Aherns meeting, met with San Jose State and Stanford University psychology professors on personnel and various meetings with staff.

Director Eisenberg reported interactions with constituents and that she will continue her fiduciary duty as an elected official.

Director Hsueh reported attending the aforementioned Town Hall Event featuring a Special Panel Discussion; met with District Counsel's office, had an interview with CIP auditor George Skiles, and various meetings with staff.

Vice Chair Santos reported meeting with the Chair and ACEO Rita Chan, attending the aforementioned Landscape Summit, Berryessa Citizens Advisory Council meeting; a San Luis and Delta-Mendota Water Authority (SLDMWA) meeting; the Sunnyvale Unhoused Collaborative meeting; and various meetings with staff.

Director Varela had no report.

Chairperson Estremera reported attending meetings with the CEO and General Counsel, the Recycled Water Committee meeting, and various meetings with staff.

**15. CLERK REVIEW AND CLARIFICATION OF BOARD REQUESTS:**

None.

**16. ADJOURN:**

Chairperson Estremera adjourned the meeting at 3:40 p.m. in recognition of March as Women's History, Irish American Heritage, and Greek American Heritage Month. The Board will convene for the next Regular meeting at 1:00 p.m. on Tuesday, March 24, 2026, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California, and via Zoom teleconference.

Candice Kwok-Smith  
Clerk, Board of Directors

Approved:

Date: April 14, 2026