



BOARD OF DIRECTORS MEETING

MINUTES

**CLOSED SESSION AND REGULAR MEETING
TUESDAY, NOVEMBER 25, 2025
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, John L. Varela, and Richard P. Santos, Vice Chairperson presiding, constituting a quorum of the Board.

Chairperson Tony Estremera and Director Rebecca Eisenberg arrived as noted below.

During Chairperson Estremera's absence, the meeting was facilitated by Vice Chairperson Santos.

Staff members in attendance were Melanie Richardson, Interim Chief Executive Officer; Carlos Orellana, District Counsel; Candice Kwok-Smith, Clerk, Board of Directors; E. Aryee, A. Beaman, L. Bankosh, M. Bilski, S. Bogale, J. Bourgeois, T. Chinte, J. Codianne, O. El-Qoulaq, A. Garcia, R. Gibson, V. Gin, J. Golka, A. Gordon, A. Gschwind, C. Hakes, W. Ho, S. Inda, C. Lawson, A. Lee, M. Lugo, L. Mason, R. McCarter, P. McElroy, T. Ndah, L. Penilla, M. Poole, D. Rocha, R. Ruiz, K. Struve, D. Taylor, G. Williams, B. Yerrapotu, and T. Yoke. Chief Operating Officer Christopher Hakes represented Assistant Chief Executive Officer Rita Chan, Deputy Operating Officer John Bourgeois represented Chief Operating Officer Christopher Hakes, and Deputy Operating Officer Sam Bogale represented Chief Operating Officer Aaron Baker.

2. 11:00 AM - CLOSED SESSION:

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

Chairperson Estremera and Director Eisenberg arrived.

- 2.1. CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Pursuant to Government Code Section 54956.9(d)(4)
Three potential cases.
- 2.2. CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL
Pending Litigation Pursuant to Government Code Section 54956.9(d)(1)
Holiday Estates Maintenance Association v. Santa Clara Valley Water District
Santa Clara County Superior Court Case Number 25CV477398
- 2.3. District Counsel Report on Closed Session.

Upon return from Closed Session, the same Board members, including Chairperson Estremera, Director Eisenberg, and staff, were present.

Carlos Orellana, District Counsel, reported that in regard to Items 2.1 and 2.2, the Board met in Closed Session with all members participating, Including Chairperson Estremera and Director Eisenberg, and took no reportable action.

3. 1:00 PM - TIME CERTAIN:

Chairperson Estremera read the Board Meeting Decorum statement into the record, outlining the expectations for respectful and professional conduct during the proceedings.

Move to Approve: Richard Santos
Second: Shiloh Ballard
Yea: Shiloh Ballard, Jim Beall, Rebecca Eisenberg, Tony Estremera, Richard Santos, John L. Varela, Nai Hsueh
Nay: None
Abstain: None
Recuse: None
Absent: None

Summary: 7 Yea; 0 Nay; 0 Abstain; 0 Recuse.

3.1. Pledge of Allegiance/National Anthem.

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

3.2. Orders of the Day.

The Board recognized Alex Bianchi, Volunteer, for his outstanding efforts and continued commitment to the Annual Coastal Cleanup initiative.

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

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

Chairperson Estremera declared time open for public comment on any item not on the agenda. No one was present who wished to speak.

3.4. Adopt a Resolution Recognizing the City of Santa Clara for Being the First City to Adopt Model Water Efficient New Development Ordinance Measures.

Recommendation: Adopt the resolution EXPRESSING APPRECIATION TO THE CITY OF SANTA CLARA for being the first city to adopt Model Water Efficient New Development Ordinance measures.

The Board considered Item 3.4 without a staff presentation.

Motion: Adopt Resolution No. 2025-65 EXPRESSING APPRECIATION TO THE CITY OF SANTA CLARA for being the first city to adopt Model Water Efficient New Development Ordinance measures, by roll call vote.

Move to Adopt:	Richard Santos
Second:	Rebecca Eisenberg
Yea:	Shiloh Ballard, Jim Beall, Rebecca Eisenberg, Tony Estremera, Richard Santos, John L. Varela, Nai Hsueh
Nays:	None
Abstains:	None
Recuses:	None
Absent:	None
Summary:	7 Yea; 0 Nays; 0 Abstains; 0 Absent.

The Yea have it, and the motion passed.

3.5. Conduct a Public Hearing to Consider Adopting a Resolution of Necessity Relating to the Acquisition of Real Property Interests from San Jose Unified School District, Necessary to Complete the Coyote Creek Flood Protection Project, Project No. 26174043, APNs 472-33-007 and 472-33-010, Real Estate File No. 4021-354 and 4021-467 (San Jose, District 2). (Deferred from October 14, 2025)

Recommendation:

- A. Open and conduct a Public Hearing to consider adoption of a Resolution of Necessity relating to the acquisition of real property interests from San Jose Unified School District, necessary to complete the Coyote Creek Flood Protection Project, Project No. 26174043;
- B. Close the Public Hearing; and
- C. Adopt the Resolution of Necessity DETERMINING AND DECLARING THE PUBLIC NECESSITY FOR THE ACQUISITION OF CERTAIN REAL PROPERTY OR INTERESTS IN REAL PROPERTY BY EMINENT DOMAIN FOR THE COYOTE CREEK FLOOD PROTECTION PROJECT (PROJECT NO. 26174043) (CODE OF CIVIL PROCEDURE SECTIONS 1245.220, et seq.), by a two-thirds vote.

Chairperson Estremera acknowledged receipt of the attached comments, identified as Handout 3.5-A, herein. Copies of the Handout were distributed to the Board and made available to the public.

Chairperson Estremera opened the Public Hearing.

Bhavani Yerrapotu, Deputy Operating Officer, reviewed the information on this Item per the attached Board Agenda Memo and per the information contained in Attachment 3.

Chairperson Estremera declared time open for public comments.

Public comments were received by the Board from Seth Reddy, San Jose Unified School District (SJUSD) Chief Business Officer; Brian Wheatley, SJUSD Elected Trustee; and Phil Henderson, SJUSD Counsel.

Chairperson Estremera requested a motion to close the Public Hearing.

Move to Approve: Shiloh Ballard
Second: Richard Santos
Yea: Shiloh Ballard, Jim Beall, Rebecca Eisenberg, Tony Estremera, Richard Santos, John L. Varela, Nai Hsueh
Nay: None
Abstain: None
Recuse: None
Absent: None
Summary: 7 Yea; 0 Nay; 0 Abstain; 0 Absent.

The Yea have it, and the motion passed.

Motion: Deny staff's recommendation in order to continue to negotiate with San Jose Unified School District in good faith to reach a resolution that satisfies all parties, with an update on the negotiations at the next Board meeting.

Move to Approve: Tony Estremera
Second: Richard Santos
Yea: Shiloh Ballard, Jim Beall, Rebecca Eisenberg, Tony Estremera, Richard Santos, John L. Varela, Nai Hsueh
Nay: None
Abstain: None
Recuse: None
Absent: None
Summary: 7 Yea; 0 Nay; 0 Abstain; 0 Absent.

The Yea have it, and the motion passed.

3.6. Safe, Clean Water and Natural Flood Protection Program Annual Cycle Overview.

Recommendation: Receive an overview of the Safe, Clean Water and Natural Flood Protection Program Annual Cycle.

Luz Penilla, Assistant Officer, introduced Meenakshi Ganjoo, Program Administrator, reviewed the information on this Item, per the attached Board Agenda Memo, and the corresponding presentation materials contained in Attachment 1 were reviewed by staff as follows: Meenakshi Ganjoo, Program

Administrator, reviewed Slides 1 through 14, and Slides 19 through 22; Darin Taylor, Chief Financial Officer, reviewed Slides 15 through 18.

The Board noted the information without formal action.

REGULAR AGENDA:

4. CONSENT CALENDAR:

Chairperson Estremera removed Item 4.5 from the Consent Calendar for individual consideration, and the Board considered Consent Calendar Items 4.1 through 4.4 and 4.6 through 4.7 under one motion.

4.1. Approve and Authorize the Interim Chief Executive Officer to Execute Amendment No. 1 to Joint Use Agreement No. A4201M with the City of Morgan Hill for West Little Llagas Creek Between Monterey Road and Ciolino Avenue (Morgan Hill, District 1).

Recommendation: A. Approve and authorize the Interim Chief Executive Officer to execute Amendment No. 1 to Joint Use Agreement No. A4201M, with the City of Morgan Hill for West Little Llagas Creek between Monterey Road and Ciolino Avenue; and
B. Delegate authority to the Interim Chief Executive Officer to approve future amendments to Joint Use Agreement No. A4201M with the City of Morgan Hill for West Little Llagas Creek between Monterey Road and Ciolino Avenue.

4.2. Approve and Authorize the Interim Chief Executive Officer to Execute the Master Joint Use Agreement No. A5534X with the City of Gilroy (Gilroy, District 1).

Recommendation: A. Approve and authorize the Chief Executive Officer to execute Master Joint Use Agreement No. A5534X with the City of Gilroy; and
B. Delegate authority to the Chief Executive Officer to approve future renewals and amendments to Master Joint Use Agreement No. A5534X with the City of Gilroy.

4.3. Approve the Re-Appointments of Committee Members for Additional Two-Year Terms to the Environmental and Water Resources Committee.

Recommendation: Consider and approve the re-appointments of committee members for additional two-year terms to the Environmental and Water Resources Committee.

4.4. Accept the Work as Complete and Direct the Clerk to File the Notice of Completion of Contract and Acceptance of Work for the Permanente and Hale Creek Concrete Channel Repair Project, Disney Construction, Inc., Contractor, Project No. 62084001, Contract No. C0707 (Mountain View and Los Altos, District 7).

Recommendation: A. Accept the work on the Permanente and Hale Creeks Concrete Channel Repair Project, Project No. 62084001, Contract No. C0707 as complete; and
B. Direct the Clerk of the Board to sign the Notice of Completion of Contract and Acceptance of Work and submit for recording to the Santa Clara County Clerk-Recorder.

4.6. Accept the CEO Bulletin for the Weeks of November 7 - 20, 2025.

Recommendation: Accept the CEO Bulletin.

4.7 Approval of Minutes.

Recommendation: Approve the minutes.

Motion: Approve Consent Calendar Items 4.1 through 4.4 and Items 4.6 through 4.7, under one motion, as follows: Approve and authorize the Interim Chief Executive Officer to execute Amendment No. 1 to Joint Use Agreement No. A4201M, with the City of Morgan Hill for West Little Llagas Creek between Monterey Road and Ciolino Avenue and delegate authority to the Interim Chief Executive Officer to approve future amendments to Joint Use Agreement No. A4201M with the City of Morgan Hill for West Little Llagas Creek between Monterey Road and Ciolino Avenue, as contained in Item 4.1; approve and authorize the Chief Executive Officer to execute Master Joint Use Agreement No. A5534X with the City of Gilroy; and delegate authority to the Chief Executive Officer to approve future renewals and amendments to Master Joint Use Agreement No. A5534X with the City of Gilroy, as contained in Item 4.2; consider and approve the re-appointments of committee members for additional two-year terms to the Environmental and Water Resources Committee, as contained in Item 4.3; accept the work on the Permanente and Hale Creeks Concrete Channel Repair Project, Project No. 62084001, Contract No. C0707 as complete and direct the Clerk of the Board to sign the notice of completion of contract and acceptance of work and submit for recording to the Santa Clara County Clerk-Recorder, as contained in Item 4.4; accept the CEO bulletin, as contained in Item 4.6; approve the minutes, as contained in Item 4.7.

Move to Approve: Richard Santos
Second: John L. Varela
Yea: Shiloh Ballard, Jim Beall, Rebecca Eisenberg, Tony Estremera, Richard Santos, John L. Varela, Nai Hsueh
Nay: None
Abstain: None
Recuse: None
Absent: None
Summary: 7 Yeas; 0 Nays; 0 Abstains; 0 Absent.

The Yeas have it, and the motion passed.

4.5. Denial of Claim Submitted by First Community Housing and Betty Anne Gardens, L.P. Represented by Strategy Law, LLP.

Recommendation: Deny the claim.

Chairperson Estremera acknowledged receipt of the attached comments, identified as Handout 4.5-A, herein. Copies of the Handout were distributed to the Board and made available to the public.

Chairperson Estremera declared time open for public comments. Public comment was received by the Board from Joshua Safran, Esq., Strategy Law, LLP, representing the claimant.

Motion: Delay a decision in order to allow staff the opportunity to negotiate in good faith.

Move to: Rebecca Eisenberg

Second: The motion did not receive a second and was lost.

The motion failed for lack of a second.

Chairperson Estremera requested a motion to accept staff's recommendation to deny the claim.

Move to Deny Claim: Shiloh Ballard

Second: Nai Hsueh

Yea: Shiloh Ballard, Jim Beall, Tony Estremera, Richard Santos, John L. Varela, Nai Hsueh

Nays: Rebecca Eisenberg

Abstains: None

Recuses: None

Absent: None

Summary: 6 Yeas; 1 Nays; 0 Abstains; 0 Absent.

The Yeas have it, and the motion passed.

5. BOARD OF DIRECTORS:

5.1. Consider the October 7, 2025, Board Policy and Monitoring Committee Recommendation to Adopt a Proposed Resolution Setting Forth a Revised, Increased Fee Schedule for Administering Santa Clara Valley Water District's Well Permitting and Inspections Program.

Recommendation: Consider recommendations resulting from the October 7, 2025, Board Policy and Monitoring Committee meeting to:

- A. Adopt the Resolution ADOPTING A REVISED FEE SCHEDULE FOR ADMINISTERING SANTA CLARA VALLEY WATER DISTRICT'S WELL PERMITTING AND INSPECTIONS PROGRAM (SUPERSEDING RESOLUTION NO. 17-52).
- B. Provide feedback and recommendations to staff as necessary.

Usha Chatwani, Community Projects Review Manager, reviewed the information on this Item per the attached Board Agenda Memo.

Motion: Adopt Resolution No. 2025-66 ADOPTING A REVISED FEE SCHEDULE FOR ADMINISTERING SANTA CLARA VALLEY WATER DISTRICT'S WELL PERMITTING AND INSPECTIONS PROGRAM (SUPERSEDING RESOLUTION NO. 17-52), by roll call vote.

Move to Adopt: Nai Hsueh
Second: John L. Varela
Yea: Shiloh Ballard, Jim Beall, Tony Estremera, Richard Santos, John L. Varela, Nai Hsueh
Nay: Rebecca Eisenberg
Abstain: None
Recuse: None
Absent: None
Summary: 6 Yea; 1 Nay; 0 Abstain; 0 Absent.

The Yea have it, and the motion passed.

5.2. Board Committee Reports.

The Board reviewed the information on the September 30, 2025, Youth Commission (YC), October 1, 2025, Joint Water Resources Committee (JWRC), October 15, 2025, Board Audit Committee (BAC), and October 27, 2025, Water Supply and Demand Management Committee (WSDMC) meeting summaries and agendas contained in Handouts 5.2-A through 5.2-D, respectively, and noted the information without formal action. Copies of the Handouts were distributed to the Board and made available to the public.

6. WATER UTILITY ENTERPRISE:

None.

7. WATERSHEDS:

7.1. Receive Information on the Watershed Capital Program Implementation Strategies, and Provide Feedback to Staff as Needed.

Recommendation: A. Receive information presented on the Watershed Capital Program Implementation Strategies, including alternatives; and
B. Provide feedback to staff as needed.

Bhavani Yerrapotu, Deputy Operating Officer, reviewed the information on this Item, per the attached Board Agenda Memo and per the information contained in Supplemental Attachment 1.

Chairperson Estremera declared time open for public comments. Public comment was received by the Board from Deborah Goldeen.

The Board noted the information without formal action.

8. ASSISTANT CHIEF EXECUTIVE OFFICER:

None.

9. EXTERNAL AFFAIRS:

None.

10. CHIEF EXECUTIVE OFFICER:

10.1. Approve Amendment No. 5 to the Standard On-Call Consultant Agreement A4382G, CAS File No. 5095 with PMA Consultants, LLC to Provide On-Call Third-Party Internal Auditor Services, Increasing the Not-to-Exceed Fee by \$600,000 for a Revised Total Not-to-Exceed Fee of \$1,300,000.

Recommendation: Approve Amendment No. 5 to the Standard On-Call Consultant Agreement A4382G, CAS File No. 5095 with PMA Consultants, LLC to provide On-Call Third-Party Internal Auditor Services for the audit and advisory services to the Internal Audit Program, increasing the Not-to-Exceed Fee by \$600,000 for a revised Total Not-to-Exceed Fee of \$1,300,000.

Darin Taylor, Chief Financial Officer, reviewed the information on this Item per the attached Board Agenda Memo.

Move to Approve:	John L. Varela
Second:	Jim Beall
Yea:	Shiloh Ballard, Jim Beall, Tony Estremera, Richard Santos, John L. Varela, Nai Hsueh
Nay:	Rebecca Eisenberg
Abstain:	None
Recuse:	None
Absent:	None
Summary:	6 Yea; 1 Nay; 0 Abstain; 0 Absent.

The Yea have it, and the motion passed.

10.2. CEO and Chiefs' Reports.

John Bourgeois, Acting Chief Operating Officer, reviewed the attached Storm Report, identified as Handout 10.2-C; Rachael Gibson, Chief of External Affairs, reviewed the attached Communications Activities, identified as Handout 10.2-A; and Civic Engagement update, identified as Handout 10.2-B, respectively, 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.

Candice Kwok-Smith, Clerk of the Board, reviewed the information on this item, per the attached Board Agenda Memo.

The Board noted the information without formal action.

14. BOARD MEMBER REPORTS/ANNOUNCEMENTS:

Director Varela reported attending many meetings.

Director Hsueh reported attending the aforementioned Labor Negotiations ad hoc Committee meetings; Delta Conveyance Finance Authority Board, and San Francisquito Creek Joint Powers Authority (SFCJPA) meetings; a Saratoga City Council Work Study Session meeting; and various meetings with staff.

Director Ballard reported attending the Stream Planning and Operations Committee (SPOC), and Labor Negotiations Ad Hoc Committee meetings; an Environmentally Focused Stakeholders Group, Santa Clara Valley Habitat Agency Implementation Board Meeting, Delta Conveyance Authority (DCA), and a Reclamation District 108 Board meetings; a meeting with San Jose City Councilmember Michael Mulcahy; and various meetings with staff.

Vice Chair Santos reported attending a Landscape and Design Valley Water Demonstration Garden Design Charrette; Media Day on Flood Preparedness; La Raza Roundtable; the Dignity Moves: Cherry Avenue Grand Opening special event; Emergency Operational Area Council and various meetings with staff.

Director Eisenberg wished everyone well in their holiday celebrations.

Director Beall reported attending the aforementioned Santa Clara Valley Habitat Agency Implementation Board Meeting; a League of Women Voters of Santa Clara County, and California Behavioral Health Association meetings; the Antioch Brackish Desalination Plant tour; and various meetings with staff.

Chairperson Estremera reported attending the aforementioned Labor Negotiations Ad Hoc Committee, SPOC, and Environmentally Focused Stakeholder Group meetings; BAC meeting; and various meetings with staff.

15. CLERK REVIEW AND CLARIFICATION OF BOARD REQUESTS:

None.

16. ADJOURN:

Chairperson Estremera adjourned the meeting at 3:47 p.m. The Board will convene for the next Regular Meeting at 1:00 p.m. on Tuesday, December 9, 2025, 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: January 13, 2026

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