



BOARD OF DIRECTORS MEETING

MINUTES

**CLOSED SESSION AND REGULAR
TUESDAY, MAY 27, 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, Richard P. Santos, and Tony Estremera, Chairperson presiding, constituting a quorum of the Board.

Director Nai Hsueh was absent; and Directors Rebecca Eisenberg and John L. Varela arrived as noted below.

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. Baker, A. Beaman, L. Bankosh, M. Bilski, J. Bourgeois, R. Chan, J. Codianne, A. Garcia, A. Gschwind, C. Hakes, B. Hopper, C. Lawson, R. McCarter, P. McElroy, L. Penilla, M. Poole, K. Struve, D. Taylor, B. Yerrapotu, and T. Yoke. Communications Manager Linh Hoang represented Chief of External Affairs Rachael Gibson.

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.

Directors Varela and Eisenberg arrived.

2.1. **CLOSED SESSION**
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
San Jose Unified School District v. SCVWD
(Santa Clara Co. Superior Court, No. 18CV330233)

2.2. CLOSED SESSION
CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6(a)
Agency Designated Representatives: M. Richardson, T. Yoke, P. McElroy,
A. Lee, E. Meeks, J. Carlos Orellana, B. Hopper, E. Kreisberg
Employee Organizations: Employees Association, Engineers Society,
Professional Managers Association
Unrepresented Employees: All Valley Water Unclassified Positions

2.3. District Counsel Report on Closed Session.

Upon return from Closed Session, the same Board members, including Director Varela 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, excluding Director Hsueh, and took no reportable action.

3. 1:00 PM - TIME CERTAIN:

3.1. Pledge of Allegiance/National Anthem.

Director Varela 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.

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. Conduct a Public Hearing to Consider the Santa Clara Valley Water District's Capital Improvement Program Draft Fiscal Years 2026-30 Five-Year Plan and Adopt a Resolution Approving the Capital Improvement Program Final Fiscal Years 2026-2030 Five-Year Plan. (Continued from May 16, 2025)

Recommendation:

- A. Open and conduct the continued Public Hearing continued from May 16, 2025, to receive public comments and Board feedback regarding the Santa Clara Valley Water District's Capital Improvement Program (CIP) Draft Fiscal Years (FY) 2026-2030 Five-Year Plan;
- B. Close the Public Hearing;
- C. Direct staff to incorporate the identified changes to the CIP Draft FY 2026-2030 Five-Year Plan and finalize the FY 2026-2030 Five-Year Plan by June 30, 2025; and
- D. Adopt the Resolution APPROVING THE CAPITAL IMPROVEMENT PROGRAM FISCAL YEARS 2026-2030 FIVE-YEAR PLAN.

Chairperson Estremera opened the Public Hearing.

Chairperson Estremera declared time open for public comments and, seeing no one present who wished to speak, called for a motion to close the Public Hearing.

Motion: Close the Public Hearing

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

The Yeas have it, and the motion passed.

Motion: Direct staff to incorporate the identified changes to the CIP Draft FY 2026-2030 Five-Year Plan and finalize the FY 2026-2030 Five-Year Plan by June 30, 2025; and adopt Resolution No. 2025-36 APPROVING THE CAPITAL IMPROVEMENT PROGRAM FISCAL YEARS 2026-2030 FIVE-YEAR PLAN, by roll call vote.

Move to Adopt: Richard Santos
Second: John L. Varela
Yea: Shiloh Ballard, Jim Beall, Tony Estremera, Richard Santos, John L. Varela
Nay: Rebecca Eisenberg
Abstain: None
Recuse: None
Absent: Nai Hsueh
Summary: 5 Yeas; 1 Nay; 0 Abstains; 1 Absent.

The Yeas have it, and the motion passed.

3.5. Conduct a Public Hearing on the Annual Report Recommending Flood Control Benefit Assessments and Adopt a Resolution Setting Benefit Assessment Revenue for Fiscal Year 2025-2026.

Recommendation: A. Open and conduct the Public Hearing to consider any comments regarding the Flood Control Benefit Assessments for Fiscal Year 2025-2026 (FY 2025-26);
B. Close the Public Hearing; and
C. Adopt the Resolution ESTABLISHING LAND USE CATEGORIES, CONFIRMING A LEVY OF BENEFIT ASSESSMENTS TO MEET DULY AUTHORIZED DEBT OBLIGATIONS FOR FISCAL YEAR 2025-2026 IN FLOOD CONTROL ZONES OF SANTA CLARA VALLEY WATER DISTRICT, IN ACCORDANCE WITH RESOLUTION NOS. 86-54, 86-55, 86-56, 86-57, AND 90-7, AND AUTHORIZING A PROCEDURE FOR CORRECTING ASSESSMENTS.

Chairperson Estremera opened the Public Hearing.

Carmen Narayanan, Financial Planning and Revenue Manager, reviewed the information on this Item per the attached Board Agenda Memo.

Chairperson Estremera declared time open for public comments.

Peter Van Dyke, Loma Prieta Resource Conservation District Board President, requested that staff clarify if the plan was to re-evaluate the Benefit Assessment for Flood Agricultural Land in South County.

Motion: Close the Public Hearing

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

The Yea have it, and the motion passed.

Motion: Adopt Resolution No. 2025-37 ESTABLISHING LAND USE CATEGORIES, CONFIRMING A LEVY OF BENEFIT ASSESSMENTS TO MEET DULY AUTHORIZED DEBT OBLIGATIONS FOR FISCAL YEAR 2025-2026 IN FLOOD CONTROL ZONES OF SANTA CLARA VALLEY WATER DISTRICT, IN ACCORDANCE WITH RESOLUTION NOS. 86-54, 86-55, 86-56, 86-57, AND 90-7, AND AUTHORIZING A PROCEDURE FOR CORRECTING ASSESSMENTS, by roll call vote.

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

The Yea have it, and the motion passed.

3.6. ITEM MOVED TO 3.9

Adopt Resolutions Approving and Adopting the Fiscal Year 2025-26 Operating and Capital Rolling Biennial Budget and Providing for Levy of Ad-Valorem Property Taxes; and Approve the Santa Clara Valley Water District Reserve Policy.

3.7. Accept the Fiscal Year 2025-26 Safe, Clean Water and Natural Flood Protection Special Tax Summary Report; and Adopt a Resolution Providing for Levy of the Special Tax Rates and Authorizing a Procedure for Correcting Special Tax Amounts for Fiscal Year 2025-2026.

Recommendation:

- A. Accept the Fiscal Year 2025-26 Safe, Clean Water and Natural Flood Protection Special Tax Summary Report; and
- B. Adopt the Resolution PROVIDING FOR LEVY OF THE SPECIAL TAX PURSUANT TO THE SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION MEASURE IN THE COMBINED FLOOD CONTROL ZONE OF THE SANTA CLARA VALLEY WATER DISTRICT AND AUTHORIZING A PROCEDURE FOR CORRECTING SPECIAL TAX AMOUNTS FOR FISCAL YEAR 2025-2026.

Carmen Narayanan, Financial Planning and Revenue Manager, reviewed the information on this Item per the attached Board Agenda Memo.

Peter Van Dyke, Loma Prieta Resource Conservation District Board President, asked staff to clarify what the impact of the taxes would be on agricultural land and requested that staff include impacts to agricultural land in reports going forward.

Motion: Accept the fiscal year 2025-26 Safe, Clean Water and Natural Flood Protection Special Tax Summary Report; and adopt Resolution No. 2025-38 PROVIDING FOR LEVY OF THE SPECIAL TAX PURSUANT TO THE SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION MEASURE IN THE COMBINED FLOOD CONTROL ZONE OF THE SANTA CLARA VALLEY WATER DISTRICT AND AUTHORIZING A PROCEDURE FOR CORRECTING SPECIAL TAX AMOUNTS FOR FISCAL YEAR 2025-2026, by roll call vote.

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

The Yea have it, and the motion passed.

3.8. Adopt Resolutions Setting Increased Groundwater Production, Surface Water, Treated Water, and South County Recycled Water Charges for Fiscal Year 2025-2026.

Recommendation:

- A. Adopt the Resolution DETERMINING GROUNDWATER PRODUCTION CHARGES FOR FISCAL YEAR 2025-2026; and
- B. Adopt the Resolution DETERMINING SURFACE WATER, TREATED WATER, AND SOUTH COUNTY RECYCLED WATER CHARGES FOR FISCAL YEAR 2025-2026.

Aaron Baker, Chief Operating Officer, reviewed the information on this Item per the attached Board Agenda Memo.

Motion:

Adopt Resolution No. 2025-39 DETERMINING GROUNDWATER PRODUCTION CHARGES FOR FISCAL YEAR 2025-2026; and adopt Resolution No. 2025-40 DETERMINING SURFACE WATER, TREATED WATER, AND SOUTH COUNTY RECYCLED WATER CHARGES FOR FISCAL YEAR 2025-2026, by roll call vote.

Move to Adopt: Richard Santos
Second: John L. Varela
Yea: Shiloh Ballard, Jim Beall, Tony Estremera, Richard Santos, John L. Varela
Nay: Rebecca Eisenberg
Abstain: None
Recuse: None
Absent: Nai Hsueh
Summary: 5 Yea; 1 Nay; 0 Abstain; 1 Absent.

The Yea have it, and the motion passed.

3.9. Adopt Resolutions Approving and Adopting the Fiscal Year 2025-26 Operating and Capital Rolling Biennial Budget and Providing for Levy of Ad-Valorem Property Taxes; and Approve the Santa Clara Valley Water District Reserve Policy.

Recommendation:

- A. Adopt the Resolution APPROVING AND ADOPTING THE OPERATING AND CAPITAL ROLLING BIENNIAL BUDGET FOR FISCAL YEAR 2025-2026;
- B. Adopt the Resolution PROVIDING FOR A LEVY OF AD VALOREM REAL PROPERTY TAXES IN FISCAL YEAR 2025-26 TO MEET THE COST OF ITS WATER SUPPLY CONTRACT WITH THE STATE OF CALIFORNIA;
- C. Approve the second fiscal year of the rolling biennial budget, referred to as the Fiscal Year 2026-27 Plan; and

D. Approve the Santa Clara Valley Water District Reserve Policy.

Enrique De Anda, Budget Manager, reviewed the information on this Item per the attached Board Agenda Memo.

Motion: Adopt Resolution No. 2025-41 APPROVING AND ADOPTING THE OPERATING AND CAPITAL ROLLING BIENNIAL BUDGET FOR FISCAL YEAR 2025-2026; adopt Resolution No. 2025-42 PROVIDING FOR A LEVY OF AD VALOREM REAL PROPERTY TAXES IN FISCAL YEAR 2025-26 TO MEET THE COST OF ITS WATER SUPPLY CONTRACT WITH THE STATE OF CALIFORNIA; approve the second fiscal year of the rolling biennial budget, referred to as the fiscal year 2026-27 plan; and approve the Santa Clara Valley Water District Reserve Policy, by roll call vote.

Move to Adopt: John L. Varela
Second: Richard Santos
Yea: Shiloh Ballard, Jim Beall, Tony Estremera, Richard Santos, John L. Varela
Nay: Rebecca Eisenberg
Abstain: None
Recuse: None
Absent: Nai Hsueh
Summary: 5 Yea; 1 Nay; 0 Abstain; 1 Absent.

The Yea have it, and the motion passed.

Director Eisenberg explained that they voted in opposition to the item because they could not support a budget that continues to support the Pacheco Reservoir Expansion Project.

REGULAR AGENDA:

4. CONSENT CALENDAR: (4.1 - 4.11)

Chairperson Estremera removed Item 4.9 from the Consent Calendar for individual consideration, and the Board considered Consent Calendar Items 4.1 through 4.8 and 4.10 through 4.11 under one motion.

4.1. Adopt a Resolution Adopting Employee Salary Schedule Effective June 23, 2025, The Beginning of Pay Period 14 of Fiscal Year 2026.

Recommendation: Adopt the Resolution ADOPTING EMPLOYEE SALARY SCHEDULE - EFFECTIVE PAY PERIOD 14 OF FISCAL YEAR 2026.

4.2. Adopt a Resolution Declaring a Portion of Real Property Owned by the Santa Clara Valley Water District (APN 386-21-37) as Exempt Surplus Land and Authorize the Exchange of Real Property Interests with Saratoga Woods

Community Association for Encroachment Mitigation Related to the Saratoga Creek Hazardous Tree Removal and Restoration Project, Project No. 60061058, on APN 386-21-039 (Saratoga, District 5).

Recommendation: A. Adopt the Resolution DECLARING A PORTION OF REAL PROPERTY OWNED BY THE SANTA CLARA VALLEY WATER DISTRICT (APN 386-21-037) AS EXEMPT SURPLUS LAND UNDER CALIFORNIA GOVERNMENT CODE 54221 (f)(1)(C), DETERMINING THAT THE REAL PROPERTY TO BE EXCHANGED IS NOT REQUIRED FOR DISTRICT USE AND THE PROPERTY TO BE ACQUIRED IS REQUIRED FOR DISTRICT USE, AND AUTHORIZING THE EXCHANGE OF PROPERTY PURSUANT TO SECTION 31(D) OF THE DISTRICT ACT (SARATOGA, DISTRICT 5); and

B. Authorize the Interim Chief Executive Officer to execute a Real Property Exchange Agreement (Agreement) between Saratoga Woods Community Association (Owner), and Valley Water, for acquisition of a permanent access easement on APN 386-21-039, located at 12341 Saratoga Creek Drive, Saratoga, CA (Owner Property), in exchange for a portion of APN 386-21-037 (Santa Clara Valley Water District Property), based upon the terms and conditions as set forth in the Agreement; and

C. Authorize the Interim Chief Executive Officer to accept an Easement Deed identified as Real Estate File No. 2021-155 (Easement) for Ingress/Egress from Saratoga Woods Community Association on APN 386-219-039; and

D. Authorize the Interim Chief Executive Officer to execute Quit Claim Deed identified as Real Estate File No. 2021-58.1 (QC Deed) to Saratoga Woods Community Association for a portion of Santa Clara Valley Water District's APN 386-21-037.

4.3. Adopt a Resolution Declaring a Portion of Real Property Owned by the Santa Clara Valley Water District (APN: 652-03-020) to be Exempt Surplus Land and Authorize the Exchange of Real Property Interests with San Jose Water Company on APN 477-12-024. (San Jose, District 1).

Recommendation: A. Adopt the Resolution DECLARING A PORTION OF REAL PROPERTY OWNED BY THE SANTA CLARA VALLEY WATER DISTRICT (APN: 652-03-020) AS EXEMPT SURPLUS LAND UNDER CALIFORNIA GOVERNMENT CODE § 54221(f)(1)(C), DETERMINING THAT THE REAL PROPERTY BEING EXCHANGED IS NOT REQUIRED FOR DISTRICT USE AND THAT THE PROPERTY BEING ACQUIRED IS REQUIRED FOR SANTA CLARA VALLEY WATER DISTRICT USE, AND AUTHORIZING THE

EXCHANGE OF PROPERTY PURSUANT TO
SECTION 31(D) OF THE DISTRICT ACT (SAN JOSE,
DISTRICT 1); and

- B. Authorize the Interim Chief Executive Officer to execute the Real Property Exchange Agreement (Agreement) between the Santa Clara Valley Water District and San Jose Water Company for acquisition of a permanent easement (Easement) on APN 477-12-024, in exchange for a portion of APN 652-03-020 based upon the terms and conditions as set forth in the Agreement; and
- C. Authorize the Interim Chief Executive Officer to accept a Grant of Easement Deed identified as Real Estate File No. 4021-282, from San Jose Water Company on APN 477-12-024; and
- D. Authorize the Interim Chief Executive Officer to execute a Quitclaim Deed identified as Real Estate File No. 9435-6.1, to San Jose Water Company for a .643-acre portion of APN 652-03-020.

4.4. Adopt Plans and Specifications and Authorize Advertisement for Bids for the Calabazas Creek Erosion Repair Project, Project No. 62084001, Contract No. C0715 (Cupertino, District 5).

Recommendation:

- A. Adopt the Plans and Specifications and Authorize Advertisement for Bids for Construction of the Calabazas Creek Erosion Repair Project, per the Notice to Bidders; and
- B. Authorize the Designated Engineer to issue addenda, as necessary during bidding process.

4.5. Adopt Plans and Specifications and Authorize Advertisement for Bids for Construction of the Palo Alto Flood Basin Tide Gate Structure Seismic Retrofit and Rehabilitation Project, Project No. 10394001, Contract No. CO710 (Palo Alto, District 7).

Recommendation:

- A. Adopt the Plans and Specifications and Authorize Advertisement for Bids for Construction of the Palo Alto Flood Basin Tide Gate Structure Seismic Retrofit and Rehabilitation Project per the Notice to Bidders; and
- B. Authorize the Designated Engineer to issue addenda, as necessary, during the bidding process.

4.6. Adopt Recommended Positions on Federal Legislation: H.R. 2594 (Crawford) - To Establish a Water Risk and Resilience Organization to Develop Risk and Resilience Requirements for the Water Sector; H.R. 2344 (Schakowsky) / S. 1118 (Markey) - Water Intelligence, Security, and Cyber (Water ISAC) Threat Protection Act; H.R. 2766 (Fallon) - Special District Fairness and Accessibility Act; H.R. 2774 (Harder) - Safeguarding Our Levees Act; And Other Legislation That May Require Consideration by the Board.

Recommendation: A. Adopt a Position of "Support" on H.R. 2594 (Crawford) - To establish a Water Risk and Resilience Organization to develop risk and resilience requirements for the water sector.
B. Adopt a Position of "Support" on H.R. 2344 (Schakowsky) / S. 1118 (Markey) - Water Intelligence, Security, and Cyber (Water ISAC) Threat Protection Act.
C. Adopt a Position of "Support" on H.R. 2766 (Fallon) - Special District Fairness and Accessibility Act.
D. Adopt a Position of "Support" on H.R. 2774 (Harder) - Safeguarding Our Levees Act.

4.7. Adopt Recommended Positions on State Legislation: SB 598 (Durazo) Construction Manager/General Contractor Project Delivery Method, and Other Legislation Which May Require Urgent Consideration for a Position by the Board.

Recommendation: Adopt a position of "Support" on: SB 598 (Durazo) Construction Manager/General Contractor Project Delivery Method.

4.8. Adopt a Resolution Making Responsible Agency Findings Under the California Environmental Quality Act and Approve and Authorize the Interim Chief Executive Officer to Execute the Joint Use Agreement No. A5407X, with the United States Fish and Wildlife Service's Don Edwards San Francisco Bay National Wildlife Refuge for the Stevens Creek West Levee Trail on Don Edwards San Francisco Bay National Wildlife Refuge Pond A2W East Levee Between Shoreline Regional Park and Edge of San Francisco Bay (Mountain View, District 7).

Recommendation: A. Adopt the Resolution CONSIDERING THE FINAL PHASE 2 ENVIRONMENTAL IMPACT STATEMENT/REPORT FOR THE SOUTH BAY SALT POND RESTORATION PROJECT AND MAKING CEQA RESPONSIBLE AGENCY FINDINGS FOR APPROVAL OF JOINT USE AGREEMENT NO. A5407X, WITH THE UNITED STATES FISH AND WILDLIFE SERVICE'S DON EDWARDS SAN FRANCISCO BAY NATIONAL WILDLIFE REFUGE FOR THE STEVENS CREEK WEST LEVEE TRAIL.
B. Approve and authorize the Interim Chief Executive Officer to execute Joint Use Agreement No. A5407X, with the United States Fish and Wildlife Service's Don Edwards San Francisco Bay National Wildlife Refuge for the Stevens Creek West Levee Trail; and
C. Delegate authority to the Interim Chief Executive Officer to approve future renewals and amendments to Joint Use Agreement No. A5407X with the United States Fish and Wildlife Service's Don Edwards San Francisco Bay National Wildlife Refuge for the Stevens Creek West Levee Trail.

4.10. Approval of Minutes.

Recommendation: Approve the minutes.

4.11. Accept the CEO Bulletin for the Weeks of May 9 - 22, 2025.

Recommendation: Accept the CEO Bulletin.

Motion: Approve Consent Calendar Items 4.1 through 4.8, and 4.10 through 4.11, under one motion, as follows: adopt Resolution Nos. 2025-43, ADOPTING EMPLOYEE SALARY SCHEDULE - EFFECTIVE PAY PERIOD 14 OF FISCAL YEAR 2026, 2025-44, DECLARING A PORTION OF REAL PROPERTY OWNED BY THE SANTA CLARA VALLEY WATER DISTRICT (APN 386-21-037) AS EXEMPT SURPLUS LAND UNDER CALIFORNIA GOVERNMENT CODE 54221 (f)(1)(C), DETERMINING THAT THE REAL PROPERTY TO BE EXCHANGED IS NOT REQUIRED FOR DISTRICT USE, AND THE PROPERTY TO BE ACQUIRED IS REQUIRED FOR DISTRICT USE, AND AUTHORIZING THE EXCHANGE OF PROPERTY PURSUANT TO SECTION 31(D) OF THE DISTRICT ACT (SARATOGA, DISTRICT 5), 2025-45, DECLARING A PORTION OF REAL PROPERTY OWNED BY THE SANTA CLARA VALLEY WATER DISTRICT (APN 652-03-020) AS EXEMPT SURPLUS LAND UNDER CALIFORNIA GOVERNMENT CODE § 54221(f)(1)(C), DETERMINING THAT THE REAL PROPERTY BEING EXCHANGED IS NOT REQUIRED FOR DISTRICT USE AND THAT THE PROPERTY BEING ACQUIRED IS REQUIRED FOR SANTA CLARA VALLEY WATER DISTRICT USE, AND AUTHORIZING THE EXCHANGE OF PROPERTY PURSUANT TO SECTION 31(D) OF THE DISTRICT ACT (SAN JOSE, DISTRICT 1), and 2025-46, CONSIDERING THE FINAL PHASE 2 ENVIRONMENTAL IMPACT STATEMENT/REPORT FOR THE SOUTH BAY SALT POND RESTORATION PROJECT AND MAKING CEQA RESPONSIBLE AGENCY FINDINGS FOR APPROVAL OF JOINT USE AGREEMENT NO. A5407X, WITH THE UNITED STATES FISH AND WILDLIFE SERVICE'S DON EDWARDS SAN FRANCISCO BAY NATIONAL WILDLIFE REFUGE FOR THE STEVENS CREEK WEST LEVEE TRAIL, by roll call vote, as contained in Items 4.1 through 4.3 and Item 4.8; adopt the plans and specifications and authorize advertisement for bids for construction of the Calabazas Creek Erosion Repair Project, per the notice to bidders and authorize the Designated Engineer to issue addenda, as necessary during bidding process, as contained in Item 4.4; adopt the plans and specifications and authorize advertisement for bids for construction of the Palo Alto Flood Basin Tide Gate Structure Seismic Retrofit and Rehabilitation project

per the notice to bidders and authorize the designated engineer to issue addenda, as necessary, during the bidding process, as contained in Item 4.5; adopt a position of "support" on H.R. 2594 (Crawford) - to establish a Water Risk and Resilience Organization to develop risk and resilience requirements for the water sector, adopt a position of "support" on H.R. 2344 (Schakowsky) / S. 1118 (Markey) - Water Intelligence, Security, and Cyber (Water ISAC) Threat Protection Act, adopt a position of "support" on H.R. 2766 (Fallon)- Special District Fairness and Accessibility Act, adopt a position of "support" on H.R. 2774 (Harder) - Safeguarding Our Levees Act, as contained in Item 4.6; adopt a position of "support" on: SB 598 (Durazo) Construction Manager/General Contractor Project Delivery Method, as contained in Item 4.7; approve the minutes, as contained in Item 4.10; and accept the CEO Bulletin, as contained in Item 4.11.

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

The Yeas have it, and the motion passed.

Chairperson Estremera moved the agenda to Item 4.9.

4.9. Denial of Claim of Leticia (Lety) Villa.

Recommendation: Deny the claim.

Leticia Villa, a San Jose resident, expressed disappointment regarding the recommended denial of her claim against the agency for perceived damages to her property due to an overgrowth of naturally occurring flora in creek beds near her property. She requested that the Board reconsider staff's recommendation to deny her claim.

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

The Yeas have it, and the motion passed.

Chairperson Estremera returned the Agenda to Item 5.1.

5. BOARD OF DIRECTORS:

5.1. Approve the Appointment of a Santa Clara Valley Water District Voting Representative to Vote for the Association of California Water Agencies Board President, Board Vice President, and Region Board Members for the 2026-'27 Term.

Recommendation: Appoint a Director as the Santa Clara Valley Water District Voting Representative to vote for the Association of California Water Agencies Board President, Board Vice President, and region Board Members for the 2026-'27 Term.

The Board considered Item 5.1 without a staff presentation.

Motion: Appoint Director John L. Varela as the Santa Clara Valley Water District Voting Representative to vote for the Association of California Water Agencies Board President, Board Vice President, and region Board Members for the 2026-'27 Term.

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

The Yeas have it, and the motion passed.

5.2. Board Committee Reports.

The Board reviewed the information on the April 7, 2025, Agricultural Water Advisory Committee meeting summary contained in Handout 5.2-A, and noted the information without formal action. Copies of the Handout were distributed to the Board and made available to the public.

6. WATER UTILITY ENTERPRISE:

6.1. Approve the Standard Consultant Agreement, Agreement No. A5379A, with Brown and Caldwell, Inc. for Technical Support Services for State and Federal Funding Opportunities for Water Reuse, PlanetBids File No. VW0511, for a Total Not-to-Exceed Fee of \$2,500,000.

Recommendation: Approve the Standard Consultant Agreement, Agreement No. A5379A, with Brown and Caldwell, Inc. for Technical Support Services for State and Federal Funding

Opportunities for Water Reuse, PlanetBids File No. VW0511, for a Total Not-to-Exceed Fee of \$2,500,000.

Kirsten Struve, Assistant Officer, reviewed the information on this Item per the attached Board Agenda Memo.

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

The Yea have it, and the motion passed.

7. WATERSHEDS:

7.1. Approve the Standard On-Call Consultant Agreements with Four Consultant Firms: AECOM Technical Services, Inc., Agreement No. A5312A; Balance Hydrologics, Inc., Agreement No. A5313A; FlowWest, LLC., Agreement No. A5314A; and GEI Consultants, Inc., Agreement No. A5315A, to Provide On-Call Design and Technical Services for Fish Passage Remediation and Habitat Enhancement, PB File VW0264, for a Shared Not-to-Exceed Aggregate Fee of \$5,000,000.

Recommendation: A. Approve the Standard On-Call Consultant Agreement No. A5312A, with AECOM Technical Services, Inc., for on-call design and technical support services for fish passage remediation and habitat enhancement.
B. Approve the Standard On-Call Consultant Agreement NO. A5313A, with Balance Hydrologics, Inc., for on-call design and technical support services for fish passage remediation and habitat enhancement
C. Approve the Standard On-Call Consultant Agreement No. A5314A, with FlowWest, LLC., for on-call design and technical support services for fish passage remediation and habitat enhancement
D. Approve the Standard On-Call Consultant Agreement No. A5315A, with GEI Consultants, Inc., for on-call design and technical support services for fish passage remediation and habitat enhancement
E. Approve a Shared Aggregate Not-To-Exceed fee of \$5,000,000 for all Agreements.

Lisa Bankosh, Assistant Officer, reviewed the information on this Item per the attached Board Agenda Memo.

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

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

The Yeas have it, and the motion passed.

8. ASSISTANT CHIEF EXECUTIVE OFFICER:

8.1. Approve Amendment No. 4 to Agreement No. A3941A with GEI Consultants, Inc., for Design Consultant Services for the Guadalupe Dam Seismic Retrofit Project, Project No. 91894002, Increasing the Not-to-Exceed Fee by \$6,559,061 for a Revised Total Not-to-Exceed Fee of \$13,934,848 and Extending the Agreement Term to December 31, 2028 (San Jose, District 7).

Recommendation: Approve Amendment No. 4 to Agreement No. A3941A with GEI Consultants Inc., for design consultant services for the Guadalupe Dam Seismic Retrofit Project, Project No. 91894002, increasing the not-to-exceed fee by \$6,559,061 for a revised total not-to-exceed fee of \$13,934,848, and extending the Agreement Term to December 31, 2028.

Andrew Garcia, Assistant Officer, reviewed the information on this Item per the attached Board Agenda Memo.

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

The Yeas have it, and the motion passed.

9. EXTERNAL AFFAIRS:

None.

10. CHIEF EXECUTIVE OFFICER:

10.1. CEO and Chiefs' Reports.

Darin Taylor, Chief Financial Officer, reviewed the attached Grants Update, identified as Handout 10.1-B; Aaron Baker, Chief Operating Officer, provided an update on water allocation for Central Valley projects; and Linh Hoang, Acting Chief of External Affairs, reviewed the attached Communications Summary, identified as Handout 10.1-A, 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 2024-2025 Board Policy Planning Calendar.

Recommendation: Review the Fiscal Year 2024-2025 Board Policy Planning Calendar.

The Board noted the information without formal action.

14. BOARD MEMBER REPORTS/ANNOUNCEMENTS:

Director Ballard reported attending National River Cleanup Day, and Sacramento Legislative Day; a meeting with a San Jose Water company representative, a meeting with the Mayor of Sunnyvale, and a meeting with Margaret Bruce, Executive Director of the San Francisquito Creek Joint Powers Authority; a Delta Conveyance Design & Construction Authority site visit; and various meetings with staff.

Director Beall reported attending the aforementioned Sacramento Legislative Day, and a City of Campbell Veterans Day event.

Director Eisenberg reported attending the Electric Bike and Electric Scooter event hosted by the City of Palo Alto.

Vice Chair Santos reported attending a Santa Clara County Emergency Operational Area Council meeting, a Morgan Hill Fire Safety Water Resource Community meeting; and various meetings with staff.

Director Varela reported attending the aforementioned Morgan Hill Fire Safety Water Resource Community meeting, and a Santa Clara County Farm Bureau meeting.

Chairperson Estremera reported attending a Capital Improvement Program, Special Recycled Water, and a Joint Recycled Water Policy Advisory with San Jose and Santa Clara Committee meetings; and various meetings with staff.

15. CLERK REVIEW AND CLARIFICATION OF BOARD REQUESTS:

Candice Kwok-Smith, Clerk, Board of Directors, confirmed that there were no new Board Member Requests.

16. ADJOURN:

Chairperson Estremera adjourned the meeting at 2:18 p.m. The Board will convene for the next Regular meeting at 1:00 p.m. on Tuesday, June 10, 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: June 24, 2025

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