



BOARD OF DIRECTORS MEETING

MINUTES

**CLOSED SESSION AND REGULAR MEETING
TUESDAY, JUNE 24, 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.

Staff members in attendance were Melanie Richardson, Interim Chief Executive Officer; Carlos Orellana, District Counsel; Max Overland, Acting Clerk, Board of Directors; L. Bankosh, M. Bilski, J. Bourgeois, R. Chan, J. Codianne, R. Gibson, J. Golka, A. Gschwind, C. Hakes, B. Hopper, C. Lawson, A. Lee, M. Lugo, T. Ndah, L. Penilla, K. Struve, D. Taylor, B. Yerrapotu, and T. Yoke. Deputy Operating Officer Emmanuel Aryee represented Chief Operating Officer Aaron Baker; Environmental Services Manager Wendy Young represented Deputy Operating Officer Ryan McCarter.

2. 11:00 AM - CLOSED SESSION:

Vice Chairperson Santos confirmed that the Board would adjourn to Closed Session to consider Items 2.1, and 2.3.

Chairperson Tony Estremera arrived and assumed the duties of Chairperson for the remainder of the Board meeting, and Director Rebecca Eisenberg arrived.

**2.1. CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Santa Clara Valley Water District v. EFuel Investments San Jose LLC, et al.
(Santa Clara County Superior Court, Case No. 23CV416095)**

- 2.2. (ITEM REMOVED FROM THE AGENDA)
CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Amanda Aguirre, et al. v. Santa Clara Valley Water District
Santa Clara County Superior Court Case No. 23CV415312
- 2.3. 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
- 2.4. District Counsel Report on Closed Session.

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

Carlos Orellana, District Counsel, reported that in regard to Items 2.1 and 2.3, the Board met in Closed Session with all members participating, including Chairperson Estremera and Director Eisenberg, and gave direction to staff.

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. Receive Information on Consultant Study Regarding Santa Clara Valley Water District's Water Use Projections, Water Demand Elasticity, and Customer Affordability Study; and Provide Feedback to Staff.

Recommendation: Receive information on consultant study regarding Santa Clara Valley Water District's water use projections, water demand elasticity, and customer affordability, including study scope, objectives, and status update; provide feedback to staff.

Carmen Narayanan, Financial Planning and Revenue Manager, reviewed the information on this Item, per the attached Board Agenda Memo, and Kevin Kostiuik, Raftelis Senior Manager, reviewed the information contained in Attachment 1.

The Board noted the information without formal action.

REGULAR AGENDA:

4. CONSENT CALENDAR: (4.1 - 4.9)

The Board considered Consent Calendar Items 4.1 through 4.9 under one motion.

4.1. Adopt a Resolution Adopting the Fiscal Year 2025 Emergency Operations Plan.

Recommendation: Adopt the Resolution ADOPTING THE FISCAL YEAR 2025 EMERGENCY OPERATIONS PLAN.

4.2. Approve a Sole Source Designation, Adopt Plans and Specifications, and Authorize Advertisement for Bids for the West Pipeline Inspection and Rehabilitation Project - Phase 2, as Part of the 10-Year Pipeline Inspection and Rehabilitation Project, Project No. 95084002, Contract No. C0719 (Los Gatos, Campbell, Saratoga, Cupertino, Los Altos, and Santa Clara, Districts 4, 5, and 7).

Recommendation: A. Find that certain Supervisory Control and Data Acquisition instrumentation components as specified in the Plans and Specifications be designated as sole source products to match other products already in use at other Santa Clara Valley Water District facilities using the Supervisory Control and Data Acquisition system. Public Contract Code Section 3400(c)(2);
B. Find that the West Pipeline Inspection and Rehabilitation Project - Phase 2 is substantially complex and, therefore, requires construction contract retention of ten percent (10%);
C. Adopt the Plans and Specifications and Authorize Advertisement for Bids for construction of the West Pipeline Inspection and Rehabilitation Project - Phase 2, per the Notice to Bidders; and
D. Authorize the Designated Engineer to issue addenda, as necessary, during the bidding process.

4.3. Adopt Recommended Positions on Federal Legislation: S. 1760 (Curtis) - Restoring WIFIA Eligibility Act of 2025; H.R. 2907 (Stanton) - Save Building Resilient Infrastructure and Communities (Save BRIC) Act; S. 324 (Rosen) - Smarter Weather Forecasting for Water Management, Farming, and Ranching Act of 2025; And Other Legislation That May Require Consideration by the Board.

Recommendation: A. Adopt a Position of "Support" on S. 1760 (Curtis) - Restoring WIFIA Eligibility Act of 2025;
B. Adopt a Position of "Support" on H.R. 2907 (Stanton) - Save Building Resilient Infrastructure and Communities (Save BRIC) Act; and
C. Adopt a Position of "Support" on S. 324 (Rosen) - Smarter Weather Forecasting for Water Management, Farming, and Ranching Act of 2025.

- 4.4. Adopt Recommended Positions on State Legislation: AB 11 (Lee) The Social Housing Act, AB 1319 (Schultz) Protected species: California Endangered Species Act, SB 466 (Caballero) Drinking water: hexavalent chromium: civil liability: exemption, and Other Legislation Which May Require Urgent Consideration for a Position by the Board.

Recommendation: A. Adopt a position of "Support" on: AB 11 (Lee) The Social Housing Act.
 B. Adopt a position of "Oppose Unless Amended" on: AB 1319 (Schultz) Protected species: California Endangered Species Act.
 C. Adopt a position of "Support" on: SB 466 (Caballero) Drinking water: hexavalent chromium: civil liability: exemption.

- 4.5. Approve the Fiscal Year 2025 Schedule Adjustments to Projects in the Safe, Clean Water and Natural Flood Protection Program.

Recommendation: Approve the Fiscal Year 2025 Schedule Adjustments to Projects in the Safe, Clean Water and Natural Flood Protection Program.

- 4.6. Accept the Work as Complete and Direct the Clerk to File the Notice of Completion of Contract and Acceptance of Work for the Federal Energy Regulatory Commission Order Compliance Project Coyote Creek Flood Management Measures Project, Stage 1 - Civil Work (Milestones 1 and 1B), Gordon N. Ball, Inc., Contractor, Project No. 91864007, Contract No. C0690 (San Jose, Districts 2, 3 and 6).

Recommendation: A. Accept the work on the Federal Energy Regulatory Commission (FERC) Order Compliance Project (FOCP) Coyote Creek Flood Management Measures Project, Stage 1 - Civil Work (Milestones 1 and 1B), Project No. 91864007, Contract No. C0690 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.

- 4.7. Accept the Work as Complete and Direct the Clerk to File the Notice of Completion of Contract and Acceptance of Work for the Snell Pipeline Inspection and Rehabilitation Project, as part of the 10-Year Pipeline Inspection and Rehabilitation Project, Con-Quest Contractors Inc., Contractor, Project No. 95084002, Contract No. C0698 (San Jose, Districts 1, 4, 6, 7).

Recommendation: A. Accept the work on Snell Pipeline Inspection and Rehabilitation Project, as part of the 10-Year Pipeline Inspection and Rehabilitation Project, Project No. 95084002, Contract No. C0698 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.

4.8. Accept the CEO Bulletin for the Weeks of June 6 - 19, 2025.

Recommendation: Accept the CEO Bulletin.

4.9. Approval of Minutes.

Recommendation: Approve the minutes.

Motion: Approve Consent Calendar Items 4.1 through 4.9, under one motion, as follows: adopt Resolution No. 2025-50, ADOPTING THE FISCAL YEAR 2025 EMERGENCY OPERATIONS PLAN, by roll call vote, as contained in Item 4.1; adopt the Plans and Specifications and authorize advertisement for bids for construction of the West Pipeline Inspection and Rehabilitation Project - Phase 2, per the Notice to Bidders; and authorize the designated engineer to issue addenda, as necessary, during the bidding process, as contained in Item 4.2; adopt a position of "support" on S. 1760 (Curtis) - Restoring WIFIA Eligibility Act of 2025; adopt a position of "support" on H.R. 2907 (Stanton) - Save Building Resilient Infrastructure and Communities (Save BRIC) Act; and adopt a position of "support" on S. 324 (Rosen) - Smarter Weather Forecasting for Water Management, Farming, and Ranching Act of 2025, as contained in Item 4.3; adopt a position of "support" on: AB 11 (Lee) The Social Housing Act; adopt a position of "Oppose Unless Amended" on: AB 1319 (Schultz) Protected species: California Endangered Species Act; adopt a position of "support" on: SB 466 (Caballero) Drinking water: hexavalent chromium: civil liability: exemption, as contained in Item 4.4; approve the fiscal year 2025 schedule adjustments to projects in the Safe, Clean Water and Natural Flood Protection Program, as contained in Item 4.5; accept the work on the Federal Energy Regulatory Commission (FERC) Order Compliance Project (FOCP) Coyote Creek Flood Management Measures Project, Stage 1 - Civil Work (Milestones 1 and 1B), Project No. 91864007, Contract No. C0690 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 4.6; accept the work on Snell Pipeline Inspection and Rehabilitation Project, as part of the 10-Year Pipeline Inspection and Rehabilitation Project, Project No. 95084002, Contract No. C0698 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 4.7; accept the CEO Bulletin, as contained in Item 4.8; and approve the minutes, as contained in Item 4.9.

Move to Approve: Richard Santos
Second: Shiloh Ballard
Yeas: 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 Yeas; 0 Nays; 0 Abstains; 0 Absent.

The Yeas have it, and the motion passed.

5. BOARD OF DIRECTORS:

- 5.1. Consider the April 14, 2025, Board Policy Monitoring Committee Recommendation to Adopt an Amended and Restated Resolution Adopting a Standard Rate Schedule for Services and Activities Regulated by the Water Resources Protection Ordinance and for Certain Licenses and Costs Associated with Real Property Transactions.

Recommendation: A. Adopt the Resolution AN AMENDED AND RESTATED RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA CLARA VALLEY WATER DISTRICT ADOPTING A STANDARD RATE SCHEDULE FOR SERVICES AND ACTIVITIES REGULATED BY THE WATER RESOURCES PROTECTION ORDINANCE AND FOR CERTAIN LICENSES AND COSTS ASSOCIATED WITH REAL PROPERTY TRANSACTIONS; and
B. Provide feedback and recommendations to staff as necessary.

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

Motion: Adopt Resolution No. 2025-51, AN AMENDED AND RESTATED RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA CLARA VALLEY WATER DISTRICT ADOPTING A STANDARD RATE SCHEDULE FOR SERVICES AND ACTIVITIES REGULATED BY THE WATER RESOURCES PROTECTION ORDINANCE AND FOR CERTAIN LICENSES AND COSTS ASSOCIATED WITH REAL PROPERTY TRANSACTIONS, by roll call vote.

Move to Adopt: Richard Santos
Second: Nai Hsueh
Yeas: 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 Yeas; 0 Nays; 0 Abstains; 0 Absent.

The Yeas have it, and the motion passed.

- 5.2. Consider the June 17, 2025, Board Audit Committee Recommendation to Approve Amendment No. 2 to Agreement A4570A with Sjoberg Evashenk Consulting, Inc., to Provide Board Audit Consultant Services, Extending the Agreement Term to November 22, 2026, and to Increase the Not-to-Exceed by \$600,000, Resulting in a Total Not-to-Exceed Fee of \$1,400,000.

Recommendation: Adopt the June 17, 2025, Board Audit Committee Recommendation to Approve Amendment No. 2 to Agreement A4570A with Sjoberg Evashenk Consulting, Inc., to provide Board Audit Consultant Services, extending the Agreement term to November 22, 2026, and to increase the Not-to-Exceed by \$600,000, resulting in a total Not-to-Exceed fee of \$1,400,000.

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

Move to Adopt: Rebecca Eisenberg
Second: John L. Varela
Yeas: 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 Yeas; 0 Nays; 0 Abstains; 0 Absent.

The Yeas have it, and the motion passed.

- 5.3. Board Committee Reports.

The Board reviewed the information on the March 31, 2025, Environmental Creek Cleanup Committee (ECCC), April 21, 2025, Capital Improvement Program Committee (CIP), May 19, 2025, CIP, May 29, 2025, Youth Commission (YC), June 25, 2025, Recycled Water Committee (RWC), and June 23, 2025, Water Supply and Demand Management Committee (WSDM) meeting summaries and agendas contained in Handouts 5.3-A through 5.3-F, respectively herein, 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 Report of Bids, Ratify Addenda, Approve the Contingency Fund, and Award the Construction Contract to Granite Rock Company for Construction of the Stevens Creek Evelyn Fish Passage Project, Under the Watersheds Asset Rehabilitation Program, Project No. 62084001, Contract No. C0708 (Mountain View, District 7).

- Recommendation:
- A. Ratify Addenda No. 1, 2, and 3 to the Contract Documents for the Stevens Creek Evelyn Fish Passage Project;
 - B. Award the Construction Contract to Granite Rock Company, located in San Jose, CA, in the sum of \$4,852,260; and
 - C. Approve a contingency sum of 10% in the amount of \$485,226 and authorize the Chief Executive Officer or designee to approve individual change orders up to the designated amount.

The Board considered Item 7.1 without a staff presentation.

Move to Approve: John L. Varela
Second: Richard Santos
Yeas: 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 Yeas; 0 Nays; 0 Abstains; 0 Absent.

The Yeas have it, and the motion passed.

- 7.2. Receive Report of Bids, Ratify Addenda, Approve the Contingency Fund, and Award the Construction Contract to Granite Rock Company, for the South Babb Flood Mitigation Project, under the Watershed Asset Rehabilitation Program, Project No. 62084001, Contract No. C0716 in the Sum of \$1,225,742 (San Jose, District 6).

- Recommendation:
- A. Ratify Addendum No. 1 to the Contract Documents for the South Babb Flood Mitigation Project;
 - B. Award the Construction Contract to Granite Rock Company, located in San Jose, CA, in the sum of \$1,225,742; and
 - C. Approve a contingency sum of 10% in the amount of \$122,574 and authorize the Chief Executive Officer or designee to approve individual change orders up to the designated amount.

Bhavani Yerrapotu, Deputy Operating Officer, reviewed the information on this Item per the attached Board Agenda Memo.

Move to Approve: Rebecca Eisenberg
Second: Richard Santos
Yeas: 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 Yeas; 0 Nays; 0 Abstains; 0 Absent.

The Yeas have it, and the motion passed.

8. ASSISTANT CHIEF EXECUTIVE OFFICER:

- 8.1. Approve Amendment No. 1 to Agreement No. A4932A with Stillwater Sciences, for Regulatory Permitting Services for the Anderson Dam Seismic Retrofit Project, Project No. 91864005, Increasing the Not-to-Exceed Fee by \$918,593 for a Revised Total Not-to-Exceed Fee of \$2,918,593 and Extending the Agreement Term to December 31, 2028 (Morgan Hill, District 1).

Recommendation: Approve Amendment No. 1 to Agreement No. A4932A with Stillwater Sciences, for regulatory permitting services for the Anderson Dam Seismic Retrofit Project, Project No. 91864005, increasing the not-to-exceed fee by \$918,593 for a revised total not-to-exceed fee of \$2,918,593, and extending the Agreement Term to December 31, 2028.

Tiffany Chao, Senior Water Resources Specialist, reviewed the information on this Item per the attached Board Agenda Memo.

Move to Approve: John L. Varela
Second: Richard Santos
Yeas: 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 Yeas; 0 Nays; 0 Abstains; 0 Absent.

The Yeas have it, and the motion passed.

9. EXTERNAL AFFAIRS:

- 9.1. Approve Fiscal Year 2025 Standard Grants for the Safe, Clean Water and Natural Flood Protection Program.

Recommendation: A. Review and discuss staff's recommendations for Fiscal Year 2025 Safe, Clean Water and Natural Flood Protection Program (Safe, Clean Water Program) standard grant awards;
B. Authorize the Chief Executive Officer or designee to approve and execute non-consultant agreements for 13 standard grant projects at a total amount not-to-exceed \$1,837,616.55; and
C. Authorize staff to reallocate the remaining Fiscal Year 2025 standard grant funding of \$32,383.45 towards Fiscal Year 2026 mini-grants.

Amy Fonseca, Program Administrator, reviewed the information on this Item, per the attached Board Agenda Memo and per the information contained in Attachment 4.

Director Beall and Director Eisenberg requested that staff create a list of grants for District 4 and District 7 (Board Member Request No. R-25-0007).

Motion: Authorize the Chief Executive Officer or designee to approve and execute non-consultant agreements for 13 standard grant projects at a total amount not-to-exceed \$1,837,616.55; and authorize staff to reallocate the remaining Fiscal Year 2025 standard grant funding of \$32,383.45 towards Fiscal Year 2026 mini-grants.

Move to Authorize: Richard Santos
Second: John L. Varela
Yeas: 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 Yeas; 0 Nays; 0 Abstains; 0 Absent.

The Yeas have it, and the motion passed.

10. CHIEF EXECUTIVE OFFICER:

10.1. CEO and Chiefs' Reports.

Rachael Gibson, Chief of External Affairs, reviewed the attached Office of Communications Activities, 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 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 a meeting with Midpeninsula Regional Open Space District Board of Directors Director Yoriko Kishimoto; a Valley Water District 2 Ripple meeting; a Willow Glen Neighborhood Association meeting; and reported participating in the Dia de Portugal Festival event, and various meetings with staff.

Director Beall reported attending a meeting with Assemblymember Rhodesia Ransom and Chief of Staff, Tania Dikho; a meeting with Assemblymember Patrick Aherns; the Sisk Dam tour; and a Mineta Transportation Institute dinner.

Director Hsueh reported attending the WSDM and CIP Committee meetings; a Water Rates briefing meeting; and various meetings with staff.

Vice Chair Santos reported attending the aforementioned Sisk Dam Tour; the Community Coffee with Assemblymember Patrick Ahrens and Councilmember Cohen; and various meetings with staff.

Director Varela reported attending the aforementioned Sisk Dam Tour, Association of California Water Agencies Board meeting and an Upper Llagas Creek Flood Protection and Anderson Dam Project Elected Officials meeting.

Chairperson Estremera reported attending the aforementioned CIP, Board Audit Committee, and Stream Planning and Operations Committee meetings; and various meetings with staff.

15. CLERK REVIEW AND CLARIFICATION OF BOARD REQUESTS:

Max Overland, Acting Clerk, Board of Directors, read the new Board Member Requests into the record.

16. ADJOURN:

Chairperson Estremera adjourned the meeting at 2:11 p.m. The Board will convene for the next Closed Session and Regular meeting at 11:00 a.m. on Tuesday, July 8, 2025, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California, and via Zoom teleconference.

Max Overland, CMC
Clerk, Board of Directors

Approved:

Date: August 12, 2025

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