



BOARD OF DIRECTORS MEETING

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# MINUTES

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**CLOSED SESSION AND REGULAR MEETING  
TUESDAY, JANUARY 27, 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, John L. Varela, and Tony Estremera, Chairperson presiding, constituting a quorum of the Board.

Director Rebecca Eisenberg 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, L. Bankosh, M. Bilski, J. Bourgeois, R. Chan, J. Codianne, A Garcia, C. Hakes, A. Lee, R. McCarter, P. McElroy, T. Ndah, L. Penilla, R. Ruiz, 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, 2.2 and 2.3.

Carlos Orellana, District Counsel, reported that with respect to Item 2.3, the facts and circumstances giving rise to the Item are various alleged allegations of harassment, discrimination, retaliation, and abusive conduct.

Director Eisenberg arrived.

2.1. CLOSED SESSION  
CONFERENCE WITH LEGAL COUNSEL, INITIATION OF LITIGATION  
Pursuant to Government Code Section 54956.9(d)(4)  
15 potential cases

- 2.2. CLOSED SESSION  
PUBLIC EMPLOYEE DISCIPLINE  
Pursuant to Government Code Section 54957(b)(1)
- 2.3. CLOSED SESSION  
CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION  
Pursuant to Government Code Section 54956.9(d)(2)  
Number of cases: multiple
- 2.4. District Counsel Report on Closed Session.

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

Carlos Orellana, District Counsel, reported that in regard to Items 2.1, 2.2 and 2.3, the Board met in Closed Session with all members participating, including Director Eisenberg, and took no reportable action.

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

- 3.1. Pledge of Allegiance/National Anthem.

Director Ballard 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.

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:	Nai Hsueh
Second:	Shiloh Ballard
Yeas:	Naih Hsueh, Shiloh Ballard, Jim Beall, Rebecca Eisenberg, Richard Santos, John L. Varela, Tony Estremera
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.

- 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.

Lakeisha Bryant, Santa Clara Valley Water's Association of Black Employees (ABE) leader, thanked the Board for celebrating Black History Month.

Public comments were received by the Board from Deborah Goldeen, Palo Alto resident, and Peter Van Dyke, Loma Prieta Resource Conservation District.

- 3.4. Receive an Update on the Pure Water Silicon Valley Project and Adopt a Resolution Authorizing the Execution and Delivery of Agreement Relating to the Proposed San Jose Purified Water Project and Certain Acts in Connection Therewith.

Recommendation: Receive an update on the Pure Water Silicon Valley Project and Adopt the Resolution AUTHORIZING THE EXECUTION AND DELIVERY OF AGREEMENT RELATING TO THE PROPOSED SAN JOSE PURIFIED WATER PROJECT AND CERTAIN ACTS IN CONNECTION THEREWITH.

Interim Chief Executive Officer Melanie Richardson read the following two requests into the record, received from Tanya Moniz-Witten, President of San Jose Water Company.

1. That the Board's meeting notes/minutes explicitly state that the restrictions apply only to the portion of the SJPWP financed with the Bonds; and
2. That staff prepare and circulate a written addendum or memorandum reflecting this clarification, for concurrence by both parties' counsel, to accompany the item file.

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

Motion: Adopt Resolution No. 2026-03 AUTHORIZING THE EXECUTION AND DELIVERY OF AGREEMENT RELATING TO THE PROPOSED SAN JOSE PURIFIED WATER PROJECT AND CERTAIN ACTS IN CONNECTION THEREWITH, by roll call vote.

Move to Adopt: Richard Santos  
Second: John L. Varela  
Yeas: Jim Beall, John L. Varela, Nai Hsueh, Richard Santos, Shiloh Ballard, Tony Estremera  
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.

Director Eisenberg explained that they voted in opposition to the item because they lacked information.

3.5. Receive and Discuss the Overview of the Santa Clara Valley Water District's Fiscal Year 2026-27 First Pass Biennial Budget.

Recommendation: Receive and discuss the overview of the Santa Clara Valley Water District's Fiscal Year 2026-27 First 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 1.

The Board noted the information without formal action.

3.6. 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 Nos. 4021-354 and 4021-467 (San Jose, District 2).

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 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 Letter from San Jose Unified School District (SJUSD), identified as Handout 3.6-A, herein. Copies of the Handout were distributed to the Board and made available to the public.

Chairperson Estremera opened the Public Hearing.

Madhu Thummaluru, Capital Engineering Manager, 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.

The Board received public comments from Seth Reddy, SJUSD Chief Business Officer, and Phil Henderson, SJUSD Counsel.

Chairperson Estremera requested a motion to close the Public Hearing.

Motion: Close the Public Hearing.

Move to Approve: Richard Santos  
Second: Nai Hsueh  
Yeas: Jim Beall, John L. Varela, Nai Hsueh, Rebecca Eisenberg, Richard Santos, Shiloh Ballard, Tony Estremera  
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.

Motion: Adopt Resolution No. 2026-04 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 roll call vote.

Move to Adopt: Shiloh Ballard  
Second: Nai Hsueh  
Yeas: John L. Varela, Nai Hsueh, Richard Santos, Shiloh Ballard, Tony Estremera  
Nays: Jim Beall, Rebecca Eisenberg  
Abstains: None  
Recuses: None  
Absent: None  
Summary: 5 Yeas; 2 Nays; 0 Abstains; 0 Absent.

The Yeas have it, and the motion passed.

## **REGULAR AGENDA:**

### **4. CONSENT CALENDAR: (4.1 - 4.4)**

The Board considered Consent Calendar Items 4.1 through 4.4 under one motion.

- 4.1. Adopt a Resolution Setting Time and Date of Public Hearing on the Final Mitigated Negative Declaration and Engineer's Report for the Vasona Pump Station Upgrade Project, Project No. 92264001 (Los Gatos, District 7).

Recommendation: Adopt the Resolution SETTING TIME AND DATE OF PUBLIC HEARING ON THE FINAL MITIGATED NEGATIVE DECLARATION AND ENGINEER'S REPORT FOR THE VASONA PUMP STATION UPGRADE PROJECT, to occur on February 10, 2026, at 1:00 p.m., at the Boardroom at Santa Clara Valley Water District, Headquarters Building, 5700 Almaden Expressway, San Jose, CA.

- 4.2. Adopt Recommended Positions on Federal Legislation: H.R. 6422 (Stauber) - American Water Stewardship Act; And Other Legislation That May Require Consideration by the Board.

Recommendation: Adopt a Position of "Support" on H.R. 6422 (Stauber) - American Water Stewardship Act.

- 4.3. Approve a Sole Source Designation, Adopt Plans and Specifications, and Authorize Advertisement for Bids for the East Pipeline Inspection and Rehabilitation Project, Project No. 95084004, Contract No. C0718, (San Jose, Districts 1, 3, and 6).

Recommendation: A. Find that the East Pipeline Inspection and Rehabilitation Project is substantially complex and, therefore, requires construction contract retention of ten percent (10%);  
B. Find that certain Supervisory Control and Data Acquisition (SCADA) instrumentation components, as specified in the Plans and Specifications, should be designated as specific brand or trade name products. Public Contract Code Section 3400(c)(2);  
C. Adopt the Plans and Specifications and Authorize Advertisement for Bids for Construction of the East Pipeline Inspection and Rehabilitation Project, per the Notice to Bidders; and  
D. Authorize the Designated Engineer to issue addenda, as necessary, during the bidding process.

- 4.4. Accept the CEO Bulletin for the Weeks of January 9 - 22, 2026.

Recommendation: Accept the CEO Bulletin.

Motion: Approve Consent Calendar Items 4.1 through 4.4, under one motion, as follows: adopt Resolution No. 2026-05, SETTING TIME AND DATE OF PUBLIC HEARING ON THE FINAL MITIGATED NEGATIVE DECLARATION AND ENGINEER'S REPORT FOR THE VASONA PUMP STATION UPGRADE PROJECT, to occur on February 10, 2026, at 1:00 p.m., at the Boardroom at Santa Clara Valley Water District, Headquarters Building, 5700 Almaden Expressway, San Jose, CA, by roll call vote, as contained in Item 4.1; adopt a position of "Support" on H.R. 6422 (Stauber) - American Water Stewardship Act, as contained in Item 4.2; find that the East Pipeline Inspection and Rehabilitation Project is substantially complex and, therefore, requires construction contract retention of ten percent (10%); find that certain Supervisory Control and Data Acquisition (SCADA) instrumentation components, as specified in the Plans and Specifications, should be designated as specific brand or trade name products. Public Contract Code Section 3400(c)(2); adopt the Plans and Specifications and authorize Advertisement for Bids for construction of the East Pipeline Inspection 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 4.3; accept the CEO Bulletin, as contained in Item 4.4.

Move to Approve: Richard Santos  
Second: Nai Hsueh  
Yeas: Jim Beall, John L. Varela, Nai Hsueh, Rebecca Eisenberg, Richard Santos, Shiloh Ballard, Tony Estremera  
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. Authorize the Chief Executive Officer to Execute the Grant Agreement for Funding Acquisition of Real Property (Sargent Ranch) with Peninsula Open Space Trust; Approve a Budget Adjustment in the Amount of \$3,950,000 to the Fiscal Year 2026 Budget of the Safe, Clean Water and Natural Flood Protection Program's Project D7 Conservation of Habitat Lands, Project No. 26072008; and Authorize Transfer of \$3,950,000 of Project No. 26072008 Funds to the Peninsula Open Space Trust for Acquisition of Sargent Ranch.

Recommendation: A. Authorize the Chief Executive Officer to execute the Grant Agreement for Funding Acquisition of Real Property (Sargent Ranch) with the Peninsula Open Space Trust for the Safe, Clean Water and Natural Flood Protection (Safe, Clean Water) Program's Project D7: Partnerships for the Conservation of Habitat Lands, Project No. 26072008, in the amount of \$3,950,000;  
B. Approve the budget adjustment in the amount of \$3,950,000 from Fund 26 Operating and Capital Reserves to the Fiscal Year 2026 Budget of the Safe, Clean Water Project D7 Partnerships for the Conservation of Habitat Lands, Project No. 26072008, to fully fund the Grant Agreement for Funding Acquisition of Real Property (Sargent Ranch) with the Peninsula Open Space Trust; and  
C. Authorize the transfer of funds in the amount of \$3,950,000 to the Peninsula Open Space Trust to support the acquisition of Sargent Ranch, consistent with the Safe, Clean Water Project D7 Funding Criteria.

The Board considered Item 5.1 without a staff presentation.

Public comment was received by the Board on this Item from Peter Van Dyke, Loma Prieta Resource Conservation District.

Move to Authorize: John L. Varela  
 Second: Richard Santos  
 Yeas: Jim Beall, John L. Varela, Nai Hsueh, Rebecca Eisenberg,  
 Richard Santos, Shiloh Ballard, Tony Estremera  
 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. Board Committee Reports.

The Board reviewed the information on the December 19, 2025, Board Audit Committee (BAC); January 28, 2026, Santa Clara Valley Water District Water Commission (SCVWD WC); January 28, 2026, Youth Commission; and January 29, 2026, Safe Clean Water Independent Monitoring Committee (SCWIMC), meeting summaries and agendas contained in Handouts 5.2-A through 5.2-D, respectively herein, and noted the information without formal action. Copies of the Handouts were distributed to the Board and made available to the public.

Director Beall informed the Board that the Board Audit Committee reviewed the audit of the Water Conservation Plan, which resulted in recommendations with potential budget implications, and requested that the analysis of the staffing issue be referred to the budget process.

**6. WATER UTILITY ENTERPRISE:**

None.

**7. WATERSHEDS:**

None.

**8. ASSISTANT CHIEF EXECUTIVE OFFICER:**

None.

**9. EXTERNAL AFFAIRS:**

None.

**10. CHIEF EXECUTIVE OFFICER:**

10.1. CEO and Chiefs' Reports.

Tina Yoke, Chief Operating Officer, reported that the Santa Clara Valley Water District's Human Resources recruiting team has recently participated in the 2026 National Veterans Virtual Career Fair, in an effort to continue to support veterans and recruit new talent. Linh Hoang, Acting Chief of External Affairs, reviewed the attached Office of Communications Activities, identified as Handout 10.1-A herein. Copies of the Handout 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 attending Environmental and Water Resources Committee (EWRC), and BAC meetings; a Special Recycling and Waste Reduction Commission, Santa Clara Valley Habitat Agency Implementation Board Meeting; a Tour of Coyote Valley with the Open Space Authority; and various meetings with staff.

Director Beall reported attending the funeral of Community Leader Barry Del Buono.

Director Eisenberg reported attending the swearing-in of the newly elected Santa Clara County Assessor, Neyesa Fligor.

Director Hsueh reported attending the aforementioned EWRC, Environmental Creek Cleanup Committee (ECCC), and Capital Improvement Program (CIP) Committee meetings; a San Francisquito Creek Joint Powers Authority (SFCJPA) meeting; a Water Retailer meeting; and various meetings with staff.

Vice Chair Santos reported attending the aforementioned ECCC, and SFCJPA meetings; the Tour of Coyote Valley with the Open Space Authority; and various meetings with staff.

Director Varela reported attending the aforementioned ECCC meeting; a Santa Clara County Farm Bureau Board meeting; an Association of California Water Agencies (ACWA) Foundation Board Meeting, ACWA Foundation Executive Committee meeting, and ACWA Regular Board meeting.

Chairperson Estremera reported attending the aforementioned CIP meeting; a Santa Clara Valley Water District Town Hall meeting; 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 in memory of Barry Del Buono, Community Leader, at 3:13 p.m. The Board will convene for the next Special Closed Session meeting at 6:00 p.m. on Thursday, January 29, 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: February 24, 2026