



BOARD OF DIRECTORS MEETING

MINUTES

**CLOSED SESSION AND REGULAR MEETING
TUESDAY, APRIL 14, 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, Rebecca Eisenberg, Nai Hsueh, Richard P. Santos, John L. Varela, and Tony Estremera, Chairperson presiding, constituting a quorum of the Board. Director Rebecca Eisenberg joined the meeting by teleconference.

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, A. Gschwind, C. Hakes, C. Lawson, A. Lee, R. McCarter, T. Ndah, K. Struve, D. Taylor, B. Yerrapotu, and T. Yoke.

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.

2.1. CLOSED SESSION
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957(b)(1)
Title: District Counsel

2.2. CLOSED SESSION
PUBLIC EMPLOYEE APPOINTMENT
Pursuant to Government Code Section 54957(b)(1)
Title: Chief Executive Officer

2.3. CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION
Pursuant to Govt. Code Section 54956.9(d)(1)
Santa Clara Valley Water District v. Eisenberg
Santa Clara Co. Superior Court, No. 24CV436448

2.4. District Counsel Report on Closed Session.

Carlos Orellana, District Counsel, reported that, regarding Item 2.3, the Board met in Closed Session with all members participating, excluding Director Eisenberg, and, on a motion by Director Beall, seconded by Vice Chair Santos, with a vote of 6-0, the Board authorized staff to defend an appeal by Defendant Director Eisenberg of an order of the trial court denying Director Eisenberg's special motion to strike pursuant to Code of Civil Procedure section 425.16, and gave direction to staff.

Chairperson Estremera reported that, regarding Items 2.1 and 2.2, 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.

Chair Estremera led all present in reciting the Pledge of Allegiance.

Chair 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:	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 motion passed by voice vote.

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 on the February 2026 Annual Report on the Protection and Augmentation of Water Supplies and Recommended Increases in Groundwater Production Charges, Surface Water Charges, and Recycled Water Charges for Fiscal Year 2026-27.

- Recommendation:
- A. Open and Conduct a Public Hearing pursuant to Section 26.6 of the District Act to consider Santa Clara Valley Water District's Fiscal Year (FY) 2026-27 Annual Report on the Protection and Augmentation of Water Supplies and recommended increases to groundwater production charges (between 6.6% to 9.4%), surface water charges (between 6.9% to 9.4%) and recycled water charges (between 4.8% to 6.8%);
 - B. Hear public comments from groundwater producers and any interested persons regarding the Report and recommendations;
 - C. Consider any written protests to proposed surface water rate increases;
 - D. Consider staff's recommendation to set the State Water Project tax in an amount sufficient to pay next year's State Water Project costs (excluding Delta Conveyance Project costs) to avoid severe water rate impacts and keep rates feasible;
 - E. Direct staff to review such Report with, and solicit comments from, Santa Clara Valley Water District's advisory committees; and
 - F. Continue the Public Hearing regarding this Report to the April 22, 2026, Special meeting at the Morgan Hill Council Chamber Building, 17555 Peak Ave, Morgan Hill, California at 7:00 pm, pending Board approval.

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, and per the information contained in Attachment 2.

Chairperson Estremera declared time open for public comments.

Sharon Luna, San Martin resident, requested clarification on the protest letter process.

Peter Van Dyke, Agricultural (AG) Water Advisory Committee, requested that information relating to the Anderson Dam Seismic Retrofit project be brought to the AG Water Advisory Committee.

Chairperson Estremera continued the Public Hearing to April 22, 2026.

REGULAR AGENDA:

4. CONSENT CALENDAR:

The Board considered Consent Calendar Items 4.1 through 4.8 under one motion.

- 4.1. Adopt a Resolution Recognizing Wednesday, April 22, 2026, as Earth Day.

Recommendation: Adopt the Resolution RECOGNIZING APRIL 22, 2026, AS EARTH DAY.

- 4.2. Adopt a Resolution Expressing Appreciation of the Santa Clara Valley Water District Volunteers and Their Contributions During 2026 National Volunteer Week.

Recommendation: Adopt the Resolution EXPRESSING APPRECIATION OF THE SANTA CLARA VALLEY WATER DISTRICT VOLUNTEERS AND THEIR CONTRIBUTIONS DURING 2026 NATIONAL VOLUNTEER WEEK.

- 4.3. Adopt Plans and Specifications and Authorize Advertisement for Bids for the Federal Energy Regulatory Commission Order Compliance Project Live Oak Restoration Reach Project, as part of the Anderson Dam Seismic Retrofit Project, Project No. 91864005, Contract No. C0726 (Morgan Hill, District No.1).

Recommendation: A. Adopt the Plans and Specifications and Authorize Advertisement for Bids for Construction of the FERC Order Compliance Project (FOCP) Live Oak Restoration Reach Project (LORRP) per the Notice to Bidders; and
B. Authorize the Designated Engineer to issue addenda, as necessary, during the bidding process.

- 4.4. Adopt Plans and Specifications and Authorize Advertisement for Bids for Construction of the Coyote Creek Flood Protection Project, Project No. 26174043, Contract No. C0724, (San Jose, Districts 2, 3, and 6).

Recommendation: A. Consider the First Addendum to the Final Environmental Impact Report for the Coyote Creek Flood Protection Project, along with the Final Environmental Impact Report;
B. Adopt Plans and Specifications and Authorize Advertisement for Bids for Construction of the Coyote Creek Flood Protection Project, per the Notice to Bidders; and
C. Authorize the Designated Engineer to issue addenda, as necessary, during the bidding process.

- 4.5. Accept the Work as Complete and Direct the Clerk to File the Notice of Completion of Contract and Acceptance of Work for the Hale Creek Enhancement Pilot Project, Stage 2, Milestone 3, McGuire and Hester, Project No. 26164001, Contract No. C0667 (Mountain View, Los Altos, District 7).

Recommendation: A. Accept the work on the Hale Creek Enhancement Pilot Project, Stage 2, Milestone 3, Project No. 26164001, Contract No. C0667 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. Set the Time and Date for a Public Hearing on the Fiscal Year 2026-2027 Flood Control Benefit Assessments on May 12, 2026, at 1:00 p.m.

Recommendation: Set the time and date for a Public Hearing on the Fiscal Year 2026-2027 (FY 2026-27) Flood Control Benefit Assessments for 1:00 p.m. on May 12, 2026, at the Santa Clara Valley Water District Boardroom, 5700 Almaden Expressway, San Jose, California, and via Teleconference Zoom Board Meeting.

- 4.7. Approval of Minutes from March 10, 2026.

Recommendation: Approve the minutes from March 10, 2026.

- 4.8. Accept the CEO Bulletin for the Weeks of March 20, Through April 9, 2026.

Recommendation: Accept the CEO Bulletin.

Motion: Approve Consent Calendar Items 4.1 through 4.8, under one motion, as follows: adopt Resolution Nos. 2026-16, RECOGNIZING APRIL 22, 2026, AS EARTH DAY, and 2026-17, EXPRESSING APPRECIATION OF THE SANTA CLARA VALLEY WATER DISTRICT VOLUNTEERS AND THEIR CONTRIBUTIONS DURING 2026 NATIONAL VOLUNTEER WEEK, by roll call vote, as contained in Items 4.1 and 4.2; adopt the Plans and Specifications and authorize advertisement for Bids for Construction of the FERC Order Compliance Project Live Oak Restoration Reach 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; consider the First Addendum to the Final Environmental Impact Report for the Coyote Creek Flood Protection Project, along with the Final Environmental Impact Report, adopt Plans and Specifications and authorize advertisement for bids for construction of the Coyote Creek Flood Protection Project, per the Notice to Bidders, and authorize the designated engineer to issue addenda, as necessary, during the bidding process, as contained in

Item 4.4; accept the work on the Hale Creek Enhancement Pilot Project, Stage 2, Milestone 3, Project No. 26164001, Contract No. C0667 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 4.5; set the time and date for a Public Hearing on the Fiscal Year 2026-2027 (FY 2026-27) Flood Control Benefit Assessments for 1:00 p.m. on May 12, 2026, at the Santa Clara Valley Water District Boardroom, 5700 Almaden Expressway, San Jose, California, and via Teleconference Zoom Board Meeting, as contained in Item 4.6; approve the minutes from March 10, 2026, as contained in Item 4.7; and accept the CEO Bulletin, as contained in Item 4.8.

Move to Approve: Richard Santos
Second: John Varela
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 motion passed by roll call vote.

5. BOARD OF DIRECTORS:

5.1. Complaint Against a Board Member.

Recommendation: Pursuant to GP-6.5.7.1, consider the request of Chair Estremera to form an Ethics and Conduct Ad Hoc Committee to timely address a complaint against a Board Member.

Carlos Orellana, District Counsel, momentarily stepped out of the meeting and returned, as noted below. Linda Mason, Senior Assistant District Counsel, sat in as District Counsel during Carlos Orellana's absence.

Chair Estremera reviewed the information on this Item per the attached Board Agenda Memo.

Chair Estremera declared time open for public comment.

2 statements regarding the complaint against a board member were received from Peter Van Dyke, of undisclosed residency, and Sharon Luna, a San Martin resident.

Chair Estremera invited a motion from the Board.

Move to Approve: Nai Hsueh
Second: Shiloh Ballard
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 motion passed by roll call vote.

Carlos Orellana returned.

5.2. Consider the March 17, 2026, Board Policy and Monitoring Committee Recommendation to Update the Board Member Travel Policy.

Recommendation: Consider the March 17, 2026, Board Policy and Monitoring Committee recommendation to update the Board Member travel policy to include language related to cancellations.

Director Hsueh reviewed the information on this Item per the attached Board Agenda Memo.

Move to Approve: Shiloh Ballard
Second: Nai Hsueh
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 motion passed by roll call vote.

5.3. Board Committee Reports.

The Board reviewed the meeting summaries and agendas for the January 26, 2026, Capital Improvement Program Committee; March 17, 2026, Board Policy and Monitoring Committee; March 23, 2026, Water Supply and Demand Management Committee; April 15, 2026, Board Audit Committee; and April 16, 2026, Joint Recycled Water Policy Advisory Committee, as contained in Handouts 5.3-A through 5.3-E, respectively, and no formal action was taken. Copies of the Handouts were distributed to the Board and made available to the public.

6. WATER UTILITY ENTERPRISE:

None.

7. WATERSHEDS:

None.

8. ASSISTANT CHIEF EXECUTIVE OFFICER:

None.

9. EXTERNAL AFFAIRS:

None.

10. CHIEF EXECUTIVE OFFICER:

10.1. CEO and Chiefs' Reports.

Chris Hakes, Chief Operating Officer, verbally reported on recent rainfall activity. Rachael Gibson, Chief of External Affairs, reviewed the attached Office of Communications Monthly Update, identified as Handout 10.1-A, and the attached Office of Government Relations Summary, identified as Handout 10.1-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.

14. BOARD MEMBER REPORTS/ANNOUNCEMENTS:

Director Beall reported attending a Professional Management Association, Pinehurst Homeowners, and District 9 Leadership Group meetings; an Ad Hoc Committee meeting; meetings with County Supervisor Sylvia Arenas and West Valley College President Dr. Jennifer Taylor Mendoza; a presentation for Earth Day at Santa Teresa Catholic Church; and various meetings with staff.

Director Santos reported attending Berryessa Citizens Advisory Council and Penitencia Neighborhood Association meetings; Landscape and Agricultural Water Advisory Committee meetings; a Pajaro River Watershed Flood Prevention Authority meeting; Agenda Review with the CEO, and various meetings with staff.

Director Ballard reported attending the aforementioned Ad Hoc and Landscape Committee meetings; a Delta Conveyance Authority briefing; met with Santa Clara Valley Habitat Agency Executive Ed Sullivan, and San Jose Council Member Suds Jain; a Trails and Upper Guadalupe briefing; presented for Save Our Trails; participated in a Stevens Creek Watershed forum; a San Jose City General Update Task Force meeting, and various meetings with staff.

Director Hsueh reported attending the aforementioned Ad Hoc and Landscape Committee meetings, met with staff to follow up on the Board Policy and Monitoring

Committee, 1:1 with the CEO, a Water Commission meeting; and various meetings with staff.

Director Varela reported attending a San Luis Delta-Mendota Water Authority meeting; a South County Regional Wastewater Authority meeting; and an Association of California Water Agencies meeting.

Director Eisenberg reported a meeting with the CEO and attending various meetings with staff.

Chairperson Estremera reported attending the aforementioned Ad Hoc Committee, 1:1 with the CEO, DCA Board Prep meeting, a meeting with the Chiefs, meeting with the CEO recruiter, and various meetings with staff.

15. CLERK REVIEW AND CLARIFICATION OF BOARD REQUESTS:

None.

16. ADJOURN:

Chairperson Estremera adjourned the meeting in honor of Arab American, Southwest Asian, North African, and Polish American Heritage and Autism Acceptance Month, and in memory of Rod Diridon, at 2:55 p.m. The Board will reconvene for its next Special Closed Session meeting at 11:00 a.m. on Friday, April 17, 2026, at the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San José, California, and via Zoom teleconference.

Candice Kwok-Smith
Clerk, Board of Directors

Approved:

Date: May 12, 2026

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