



BOARD OF DIRECTORS MEETING

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# MINUTES

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**CLOSED SESSION AND REGULAR MEETING  
TUESDAY, OCTOBER 8, 2024  
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 in the Valley Water Headquarters Building Boardroom at 5700 Almaden Expressway, San Jose, California, and by Zoom teleconference at 11:00 a.m.

1.1. Roll Call.

Board members in attendance were Tony Estremera, Barbara F. Keegan, Richard P. Santos, John L. Varela, and Nai Hsueh, Chairperson presiding, constituting a quorum of the Board.

Director Jim Beall was absent, and Director Rebecca Eisenberg arrived as noted below.

Staff members in attendance were R. Callender, Chief Executive Officer, C. Orellana, District Counsel, M. King, Clerk, Board of Directors, E. Aryee, A. Baker, L. Bankosh, M. Bilski, J. Bourgeois, R. Chan, J. Codianne, A. Garcia, R. Gibson, A. Gschwind, A. Gordon, C. Hakes, C. Lawon, A. Lee, M. Lugo, R. McCarter, P. McElroy, T. Ndah, L. Penilla, K. Struve, D. Taylor, and T. Yoke.

**2. 11:00 AM - CLOSED SESSION:**

Chairperson Hsueh confirmed that the Board would adjourn to Closed Session to consider Item 2.1.

2.1. CLOSED SESSION  
PUBLIC EMPLOYEE APPOINTMENT  
Pursuant to Government Code Section 54957(b)(1)  
Title: Clerk of the Board

Upon return to Open Session, the same Board members and staff were present.

2.2. District Counsel Report on Closed Session.

Carlos Orellana, District Counsel, reported that in regard to Item 2.1, the Board met in Closed Session with all members participating, excluding Directors Beall and Eisenberg, and took no reportable action.

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

3.1. Pledge of Allegiance/National Anthem.

Aaron Baker, Chief Operating Officer, led all present in reciting the Pledge of Allegiance.

3.2. Orders of the Day.

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

3.4. Conduct a Public Hearing on the Engineer's Report and the CEQA Exemption Determination for the Security Upgrades and Enhancements Project, Project No. 60204022; Adopt a Resolution Approving the Engineer's Report for the Security Upgrades and Enhancements Project; and Approve the Project, for Coyote Pumping Plant (Morgan Hill, District 1), Santa Teresa Water Treatment Plant (San Jose, District 7), Winfield Complex (San Jose, District 4), Headquarters Corporate Yard (San Jose, District 4), and Silicon Valley Advanced Water Purification Center (San Jose, District 3).

- Recommendation:
- A. Open and conduct a Public Hearing on the Engineer's Report and the CEQA Exemption Determination for the Security Upgrades and Enhancements Project, (Project);
  - B. Close the Public Hearing;
  - C. Adopt the Resolution APPROVING THE ENGINEER'S REPORT FOR THE SECURITY UPGRADES AND ENHANCEMENTS PROJECT; and
  - D. Approve the Project.

Chairperson Hsueh opened the Public Hearing.

Tony Ndah, Deputy Administrative Officer, reviewed the information on this Item, per the attached Board Agenda Memo.

Chairperson Hsueh declared time open for public comments and, seeing no one present who wished to speak, closed the Public Hearing.

Motion: Adopt Resolution No. 24-48 APPROVING THE ENGINEER'S REPORT FOR THE SECURITY UPGRADES AND ENHANCEMENTS PROJECT, by roll call vote.

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

The Yeas have it, and the motion passed.

#### **REGULAR AGENDA:**

#### **4. CONSENT CALENDAR: (4.1 - 4.2)**

The Board considered Consent Calendar Items 4.1 and 4.2 under one motion.

4.1. Approve the Federal Funding Requests for Federal Fiscal Years 2025 and 2026.

Recommendation: Approve the recommended funding requests for federal Fiscal Years 2025 and 2026 for Valley Water-sponsored and Valley Water-supported projects and priorities.

4.2. Accept the CEO Bulletin for the Weeks of September 20 through October 3, 2024.

Recommendation: Accept the CEO Bulletin.

Motion: Approve Consent Calendar Items 4.1 and 4.2, under one motion, as follows: approve the federal funding requests for federal fiscal years 2025 and 2026, as contained in Item 4.1; and accept the CEO Bulletin as contained in Item 4.2.

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

**5. BOARD OF DIRECTORS:**

- 5.1. Receive an Overview of the Annual Capital Improvement Program Development Process, the Capital Improvement Program Fiscal Years 2025-29 Five-Year Plan Capital Projects by Fund and Funding Categories, and the Integrated Financial Planning Schedule.

- Recommendation:
- A. Receive an overview of the annual Capital Improvement Program development process;
  - B. Review the Capital Improvement Program Fiscal Years 2025-29 Five-Year Plan capital projects by Fund and Funding Categories;
  - C. Review the integrated financial planning schedule; and
  - D. Provide feedback as necessary.

Luz Penilla, Assistant Officer, 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.

- 5.2. Receive an Update on the Unique Requirements for the Pacheco Reservoir Expansion Project, Including Resulting Unique Benefits, Project No. 91954002 (Santa Clara County - District 1, Merced County).

- Recommendation: Receive an update on the unique requirements for the Pacheco Reservoir Expansion Project, including resulting unique benefits, Project No. 91954002 (Santa Clara County - District 1, Merced County).

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

Director Eisenberg arrived.

Five (5) statements expressing opposition to the Pacheco Reservoir Expansion Project were received from: Junyan Wang, Policy Clinic Project Member of the Delta Stewardship Council; Jim Kuhl, Civic Issue Activist and Environmental Advocate; Peter Van Dyke, Loma Prieta Resource Conservation District President; Katja Irvin, Sierra Club Loma Prieta Chapter; and Molly Culton, Sierra Club California.

The Board noted the information, without formal action.

5.3. Board Committee Reports.

The Board reviewed the information on the February 20, 2024, Environmental Creek Cleanup Committee (ECCC), May 17, 2024, ECCC, July 29, 2024, ECCC, August 19, 2024, Capital Improvement Program, and October 7, 2024, Agricultural Water Advisory Committee meeting summaries and agendas contained in Handouts 5.3-A through 5.3-E, respectively, and noted the information without formal action.

Copies of the Handouts were distributed to the Board and made available to the public.

5.4. Consider the September 16, 2024, Capital Improvement Program Committee Recommendation to Approve Implementing the Best Value Construction Contractor Selection Method for the Anderson Dam Seismic Retrofit Project, Project No. 91864005, and Receive Information on Staff's Recommended Procurement Plan to Select the Anderson Dam Seismic Retrofit Project Construction Contractor (Morgan Hill, District 1).

Recommendation: Consider recommendations resulting from the September 16, 2024, Capital Improvement Committee to:

- A. Approve implementing the best value construction contractor selection method for the Anderson Dam Seismic Retrofit Project (ADSRP); and
- B. Receive information on staff's recommended procurement plan to select the ADSRP construction contractor.

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

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

The Yeas have it, and the motion passed.

**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.

Rachael Gibson, Chief of External Affairs, reviewed the attached Office of Government Relations and Office of Communications summaries, identified as Handout 10.1-A and 10.1-B; Tina Yoke, Chief Operating Officer, updated the Board that Valley Water was ranked in the top 5 of the 2024 healthiest employers of northern California by Healthiest Employers, LLC, and reported out on the September 11, 2024, Employee Wellbeing Day; and Christopher Hakes, Chief Operating Officer, reviewed the attached Watersheds Operations and Maintenance report identified as Handout 10.1-C. 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.

Director Keegan requested that staff come back with a future board item detailing the money saved and the overall impact of the hiring freeze.

The Board noted the information, without formal action.

**14. BOARD MEMBER REPORTS/ANNOUNCEMENTS:**

Director Keegan reported attending Board Audit, Water Supply and Demand Management (WSDM), and Landscape Committee meetings; a Santa Clara County Special Districts meeting; and various meetings with staff.

Director Varela reported attending the aforementioned WSDM committee meeting; Association of California Water Agencies (ACWA) meetings; a Los Vaqueros Joint Powers Authority Finance meeting; a Capital Improvement Program committee meeting; and various meetings with staff.

Director Estremera reported attending the La Raza Lawyers Association Scholarship Dinner; Organization for Latino Affairs events; a Board Policy Monitoring Committee

(BPMC) meeting; and various meetings with staff.

Chair Hsueh reported attending the aforementioned BPMC meeting; a San Francisquito Joint Powers Authority meeting; and various meetings with staff.

Vice Chair Santos reported attending the aforementioned Landscape Committee, La Raza Lawyers Association Scholarship Dinner, and BPMC meetings; and various meetings with staff.

**15. CLERK REVIEW AND CLARIFICATION OF BOARD REQUESTS:**

None.

**16. ADJOURN:**

16.1 Adjourn to the 9:00 a.m. Special Meeting on October 11, 2024, at the Santa Clara City Convention Center, 5001 Great America Pkwy, Santa Clara, and via Zoom teleconference.

Chairperson Hsueh adjourned the meeting in recognition of Disability Employment Awareness, Polish American Heritage, Italian American Heritage, German American Heritage, Filipino History and LGBTQIA2S+ History Month at 2:51 p.m., to the 9:00 a.m. Special Meeting on October 11, 2024, in the Santa Clara City Convention Center, 5001 Great America Pkwy, Santa Clara, California, and via Zoom teleconference.

Michele L. King, CMC  
Clerk, Board of Directors

Approved:

Date:

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