



BOARD OF DIRECTORS MEETING

MINUTES

**CLOSED SESSION AND REGULAR MEETING
TUESDAY, MAY 26, 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; Linda Mason, Acting District Counsel; Candice Kwok-Smith, Clerk, Board of Directors; E. Aryee, A. Baker, A. Beaman, L. Bankosh, M. Bilski, S. Bogale, J. Bourgeois, R. Chan, T. Chinte, J. Codianne, O. El-Qoulaq, A Garcia, R. Gibson, V. Gin, J. Golka, A. Gordon, A. Gschwind, C. Hakes, W. Ho, S. Inda, C. Lawson, A. Lee, M. Lugo, L. Mason, R. McCarter, P. McElroy, T. Ndah, L. Penilla, M. Poole, D. Rocha, R. Ruiz, K. Struve, D. Taylor, G. Williams, 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, 2.3, 2.4, 2.5, and 2.6.

Director Rebecca Eisenberg arrived.

2.1. CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL, PENDING LITIGATION
Pursuant to Government Code Section 54956.9(d)(2).

In the Matter of the Amended Statement of Issues Regarding the Appeal of Tier Conversion Contract Amendment by Santa Clara Valley Water District, Respondent (Agency Case No. 2024-0867; OAH No. 2025080184)

2.2. CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL, INITIATION OF LITIGATION
Pursuant to Government Code Section 54956.9(d)(4)
One Potential Case

- 2.3. CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION
Pursuant to Government Code section 54956.9(d)(2)
One Potential Case
- 2.4. CLOSED SESSION
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: District Counsel
Pursuant to Government Code Section 54957(b)(1)
- 2.5. CLOSED SESSION
PUBLIC EMPLOYEE APPOINTMENT
Pursuant to Government Code Section 54957(b)(1)
Title: Chief Executive Officer
- 2.6. CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL, INITIATION OF LITIGATION
Pursuant to Government Code Section 54956.9(d)(4)
One Potential Case
- 2.7. District Counsel Report on Closed Session.

Linda Mason, Acting District Counsel, reported that, regarding Items 2.1 and 2.2, the Board met in Closed Session with all members participating, and took no reportable action. In regard to Item 2.3, Directors Ballard, Beall, Estremera, Hseuh, Santos, and Varela met in Closed Session and took no reportable action; and in regard to Item 2.6, the Board continued the Item to a future date.

Chair Estremera reported that, regarding Items 2.4 and 2.5, the Board met in Closed Session, took no reportable action, and continued Item 2.5 to the June 9, 2026, Board meeting.

3. 1:00 PM - TIME CERTAIN:

- 3.1. Pledge of Allegiance/National Anthem.

Vice Chairperson Santos led all present in reciting the Pledge of Allegiance.

- 3.2. Orders of the Day.

None.

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:	Richard Santos
Second:	John Varela
Yeas:	Shiloh Ballard, Jim Beall, Rebecca Eisenberg, Nai Hsueh, 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 motion passed by a voice vote.

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.

REGULAR AGENDA:

4. CONSENT CALENDAR: (4.1 - 4.7)

The Board considered Consent Calendar Items 4.1 and 4.3 through 4.7 under one motion.

4.1. Adopt a Resolution in Support of the Association of California Water Agencies' Vision for Our Water Future Recommendations.

Recommendation: Adopt the Resolution SUPPORT OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES' VISION FOR OUR WATER FUTURE RECOMMENDATIONS.

4.2. Adopt a Resolution Adopting Employee Salary Schedule Effective June 22, 2026, The Beginning of Pay Period 14 of Fiscal Year 2027.

(Moved to Item 10.1)

4.3. Adopt Plans and Specifications and Authorize Advertisement for Bids for the Berryessa Creek Flood Protection Project, Calaveras Boulevard to Interstate 680, Upper Berryessa Creek Off-Site Mitigation Project, Project No. 26174041, Contract No. C0717 (Milpitas and San Jose, Districts 3 and 6).

Recommendation: A. Consider the First Addendum to the Final Environmental Impact Report (EIR) along with the Final EIR for the Upper Berryessa Creek Flood Risk Management Project;
B. Approve the Upper Berryessa Creek Off-Site Mitigation Project
C. Adopt the Plans and Specifications and Authorize Advertisement for Bids for Construction of the Upper Berryessa Creek Off-Site Mitigation Project per the Notice to Bidders; and
D. Authorize the Designated Engineer to issue addenda, as necessary, during the bidding process.

4.4. Adopt Recommended Positions on Federal Legislation: S. 3732 (Gallego) - Water Security and Drought Resilience Act; S. 4213 (Durbin) - Data Center Water and Energy Transparency Act of 2026; And Other Legislation That May Require Consideration by the Board.

Recommendation: A. Adopt a Position of "Support" on S. 3732 (Gallego) - Water Security and Drought Resilience Act; and

B. Adopt a Position of "Support" on S. 4213 (Durbin) - Data Center Water and Energy Transparency Act of 2026.

4.5. Adopt Recommended Positions on State Legislation: AB 1603 (Schultz) Pesticides: Perfluoroalkyl and Polyfluoroalkyl substances (PFAS), SB 949 (Becker) Environmental Protection: Natural Resources Agency: Resource of Statewide Significance: Santa Cruz Mountains, and Other Legislation Which May Require Urgent Consideration for a Position by the Board.

Recommendation: A. Adopt a position of "Support" on: AB 1603 (Schultz) Pesticides: perfluoroalkyl and polyfluoroalkyl substances (PFAS); and
B. Adopt a position of "Support" on: SB 949 (Becker) Environmental protection: Natural Resources Agency: resource of statewide significance: Santa Cruz Mountains.

4.6. Approval of Minutes from April 23, 28, and 29, 2026.

Recommendation: Approve the Minutes from April 23, 28, and 29, 2026.

4.7. Accept the CEO Bulletin for the Weeks of May 8 - 21, 2026.

Recommendation: Accept the CEO Bulletin.

Motion: Approve Consent Calendar Items 4.1 and 4.3 through 4.7, under one motion, as follows: adopt Resolution No. 2026-36, SUPPORT OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES' VISION FOR OUR WATER FUTURE RECOMMENDATIONS, as contained in Item 4.1, by roll call vote; consider the First Addendum to the Final Environmental Impact Report (EIR) along with the Final EIR for the Upper Berryessa Creek Flood Risk Management Project, approve the Upper Berryessa Creek Off-Site Mitigation Project, adopt the Plans and Specifications and Authorize Advertisement for Bids for Construction of the Upper Berryessa Creek Off-Site Mitigation 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; adopt a Position of "Support" on S. 3732 (Gallego) - Water Security and Drought Resilience Act and adopt a Position of "Support" on S. 4213 (Durbin) - Data Center Water and Energy Transparency Act of 2026, as contained in Item 4.4; adopt a position of "Support" on: AB 1603 (Schultz) Pesticides: perfluoroalkyl and polyfluoroalkyl substances (PFAS); and adopt a position of "Support" on: SB 949 (Becker) Environmental protection: Natural Resources Agency: resource of statewide significance: Santa Cruz Mountains, as contained in Item 4.5; approve

the Minutes from April 23, 28, and 29, 2026, as contained in Item 4.6; and accept the CEO Bulletin, as contained in Item 4.7.

Move to Approve: Richard Santos
Second: John Varela
Yeas: Shiloh Ballard, Jim Beall, Rebecca Eisenberg, Nai Hsueh, 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 motion passed by a roll-call vote.

5. BOARD OF DIRECTORS:

5.1. Board Committee Reports.

The Board reviewed the meeting summaries and agendas for the April 15, 2026, Board Audit Committee and May 27, 2026, Recycled Water Committee, as contained in Handouts 5.1-A and 5.2-B, 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:

6.1. Receive an Update on Golden Mussel Detection in California and Santa Clara Valley Water District's Response.

Recommendation: Receive an update and provide feedback on Santa Clara Valley Water District's response to the threat of golden mussels in California.

Sam Bogale, Deputy Operating Officer, reviewed the information for this Item as outlined in the attached Board Agenda Memo. Atasi Daneshvar, Senior Water Resources Specialist, reviewed the corresponding presentation materials contained in Attachment 1.

The Board noted the information without formal action.

6.2. Receive Report of Bids, Ratify Addenda, Approve the Contingency Fund, and Award the Construction Contract to Con-Quest Contractors, Inc., for the East Pipeline Inspection and Rehabilitation Project, Project No. 95084004, Contract No. C0718, in the Sum of \$4,809,013.53 (San Jose, Districts 1, 3, and 6).

Recommendation: A. Ratify Addenda No(s). 1, 2, 3, 4, 5, and 6 to the Contract Documents for the East Pipeline Inspection and Rehabilitation Project;
B. Award the Construction Contract to Con-Quest Contractors, Inc., located in Burlingame, CA, in the sum of \$4,809,013.53; and

- C. Approve a contingency sum of \$721,352.03 and authorize the Chief Executive Officer or designee to approve individual change orders up to the designated amount.

Emmanuel Aryee, Deputy Operating Officer, reviewed the information on this item as outlined in the attached Board Agenda Memo.

Move to Approve: Nai Hsueh
Second: John Varela
Yeas: Shiloh Ballard, Jim Beall, Rebecca Eisenberg, Nai Hsueh, 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 motion passed by a voice vote.

7. WATERSHEDS:

- 7.1. Approve Agreement No. A5752A with Stillwater Ecosystem, Watershed & Riverine Sciences for Guadalupe River Mitigation and Monitoring Water Years 2026-2029, Project No. 30151026, PB File No. VW0643, for a Not-to-Exceed Amount of \$1,063,284.

Recommendation: Approve Agreement No. A5752A with Stillwater Ecosystem, Watershed & Riverine Sciences for Guadalupe River Mitigation and Monitoring Water Years 2026-2029, for a Not-to-Exceed Amount of \$1,063,284.

John Bourgeois, Deputy Operating Officer, reviewed the information on this Item as outlined in the attached Board Agenda Memo.

Move to Approve: Richard Santos
Second: Shiloh Ballard
Yeas: Shiloh Ballard, Jim Beall, Rebecca Eisenberg, Nai Hsueh, 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 motion passed by a voice vote.

8. ASSISTANT CHIEF EXECUTIVE OFFICER:

- 8.1. Receive Report of Bids, Ratify Addenda, Approve the Contingency Fund, and Award the Construction Contract to Hanford Applied Restoration & Conservation for the Federal Energy Regulatory Commission Order Compliance Project Live Oak Restoration Reach Project, Project No. 91864005, Contract No. C0726 in the sum of \$3,829,918.75 (Morgan Hill, District 1).

- Recommendation:
- A. Ratify Addenda Nos. 1 and 2 to the Contract Documents for the FERC Order Compliance Project (FOCP) Live Oak Restoration Reach Project;
 - B. Award the Construction Contract to Hanford Applied Restoration & Conservation, located in Petaluma, California, in the sum of \$3,829,918.75; and
 - C. Approve a contingency sum of \$574,487.81 and authorize the Chief Executive Officer or designee to approve individual change orders up to the designated amount.

Ryan McCarter, Deputy Operating Officer, reviewed the information on this Item as outlined in the attached Board Agenda Memo.

Move to Approve: John L. Varela
 Second: Nai Hsueh
 Yeas: Shiloh Ballard, Jim Beall, Rebecca Eisenberg, Nai Hsueh, 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 motion passed by a voice vote.

9. EXTERNAL AFFAIRS:

None.

10. CHIEF EXECUTIVE OFFICER:

- 10.1. Adopt a Resolution Adopting Employee Salary Schedule Effective June 22, 2026, The Beginning of Pay Period 14 of Fiscal Year 2027.

Recommendation: Adopt the Resolution ADOPTING EMPLOYEE SALARY SCHEDULE - EFFECTIVE PAY PERIOD 14 OF FISCAL YEAR 2027.

Move to Adopt: Nai Hsueh
 Second: Richard Santos
 Yeas: Shiloh Ballard, Jim Beall, Rebecca Eisenberg, Nai Hsueh, 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 motion passed by a roll-call vote.

10.2. CEO and Chiefs' Reports.

Darin Taylor, Chief Financial Officer, reviewed the attached Grants Bi Monthly Update, identified as Handout 10.2-B; Tina Yoke, Chief Operating Officer, verbally reported on recent Office of Administration activities; and Racheal Gibson, Chief of External Affairs, reviewed the attached Office of Communication Activities Summary, identified as Handout 10.2-A, respectively herein. Copies of the Handouts were distributed to the Board and made available to the public.

11. ADMINISTRATION:

11.1. Receive Information on Construction Project Delivery Methods and Senate Bill 598 - Expanded Authority for Construction Manager/General Contractor Delivery Method and Approve Preliminary List of Projects.

- Recommendation:
- A. Receive information on construction project delivery methods, including Design-Bid-Build (DBB), Design-Build (DB), Progressive Design-Build (PDB), Public-Private Partnerships (P3), and Best Value selection approaches;
 - B. Receive information on Senate Bill (SB) 598 and the expanded authority for the Construction Manager/General Contractor (CM/GC) delivery method;
 - C. Approve the list of projects for delivery using the CM/GC method, authorizing staff to proceed with CM/GC delivery for the identified projects [AB1]; and
 - D. Provide feedback to staff as needed.

Tony Ndah, Deputy Administrative Officer, reviewed the information for this Item as outlined in the attached Board Agenda Memo. Amandeep Saini, Construction Manager, reviewed the corresponding presentation materials contained in Attachment 1. The Board noted the information without formal action.

Move to Approve: John L. Varela
Second: Jim Beall
Yeas: Shiloh Ballard, Jim Beall, Rebecca Eisenberg, Nai Hsueh, 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 motion passed by a voice vote.

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 Varela reported attending the Association of California Water Agencies Annual (ACWA) Annual Conference.

Director Hsueh reported attending a Delta Conveyance Authority (DCA) meeting; a Rinconada Water Treatment Plant Neighborhood Improvement Project meeting; Capital Improvement Program (CIP) and Board Policy and Monitoring Committee (BPMC) meetings; a Youth Commission (YC) meeting; an Ad-hoc meeting; and various meetings with staff.

Director Ballard reported attending the aforementioned DCA, YC, and Ad-hoc meetings; a SCV Habitat Agency Implementation meeting; a Board Audit Committee (BAC), and a Stream Planning and Operations Committee (SPOC) committee meetings; and various meetings with staff.

Director Santos reported attending National River Clean Up Day sites, a San Luis and Delta-Mendota Water Authority meeting; a Milpitas Rotary Club meeting; a ribbon cutting ceremony at the Dr. Robert Gross ponds; and various meetings with staff.

Director Eisenberg reported attending the Newell Road Bridge Construction Celebration.

Director Beall reported attending the aforementioned BAC, CIP, SCV Habitat Agency Implementation meeting, and Ad Hoc meetings; and the Santa Clara County Housing Authority Annual Briefing.

Chairperson Estremera reported attending the Agenda Review, aforementioned BAC, BPMC, CIP, DCA, and SPOC meetings.

15. CLERK REVIEW AND CLARIFICATION OF BOARD REQUESTS:

None.

16. ADJOURN:

Chairperson Estremera adjourned the meeting at 2:17 p.m. The Board will reconvene for its next Regular meeting at 1:00 p.m. on Tuesday, June 9, 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: June 23, 2026