



BOARD OF DIRECTORS MEETING

MINUTES

CLOSED SESSION AND REGULAR AGENDA

TUESDAY, JULY 8, 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 Estremera and 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, A. Beaman, M. Bilski, S. Bogale, J. Bourgeois, R. Chan, T. Chinte, J. Codianne, O. El-Qoulaq, R. Gibson, J. Golka, C. Hakes, S. Inda, R. McCarter, P. McElroy, T. Ndah, L. Penilla, M. Poole, K. Struve, and D. Taylor. Deputy Administrative Officer Cecil Lawson represented Chief Operating Officer Tina Yoke.

2. 11:00 AM - CLOSED SESSION:

Vice Chairperson Santos confirmed that the Board would adjourn to Closed Session to consider Items 2.1 and 2.2.

Carlos Orellana, District Counsel, confirmed written claims or communications relating to Closed Session Item 2.2 are available for public inspection upon request as required by the Brown Act.

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

2.1. 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

- 2.2. CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL
Anticipated Litigation - Significant Exposure to Litigation
Government Code Section 54956.9(d)(2)
One Potential Case

- 2.3. 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 2.2, 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 Beall 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.

REGULAR AGENDA:

4. CONSENT CALENDAR:

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

- 4.1. Accept the Work as Complete and Direct the Clerk to File the Notice of Completion of Contract and Acceptance of Work for the Anderson Dam Federal Energy Regulatory Commission Order Compliance Project, Coyote Percolation Dam Replacement Project, Thompson Builders Corporation, Contractor, Project No. 91864009, Contract No. C0693 (San Jose, District 1).

Recommendation: A. Accept the work on the Coyote Percolation Dam Replacement Project, Project No. 91864009, Contract No. C0693 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.

- 4.2. Consider and Approve Nominations for Two-Year Committee Appointments and Reappointments to the Santa Clara Valley Water Youth Commission.

Recommendation: Consider and approve nominations for two-year appointments and reappointments to the Santa Clara Valley Water Youth Commission.

- 4.3. Approval of Minutes.

Recommendation: Approve the minutes.

- 4.4. Accept the CEO Bulletin for the Weeks of June 20, 2025, Through July 3, 2025.

Recommendation: Accept the CEO Bulletin.

Motion: Approve Consent Calendar Items 4.1 through 4.4 under one motion as follows: accept the work on the Coyote Percolation Dam Replacement Project, Project No. 91864009, Contract No. C0693 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 4.1; approve the nominations for two-year appointments and reappointments to the Santa Clara Valley Water Youth Commission, as contained in Item 4.2; approve the minutes, as contained in Item 4.3; and accept the CEO Bulletin, as contained in Item 4.4.

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.

5. BOARD OF DIRECTORS:

- 5.1. Board Committee Reports.

Director Hsueh updated the Board regarding the Board Policy and Monitoring Committee's review of the Board Appointed Officer Complaint process; and the Capital Improvement Program (CIP) committee review of the change order management process.

The Board reviewed the information on the May 23, 2025, Joint Recycled Water Policy Advisory Committee, Cities of San Jose and Santa Clara, June 16, 2025, CIP Committee, June 25, 2025, Special CIP Committee, and July 7, 2025

Agricultural Water Advisory Committee meeting summaries and agendas contained in Handouts 5.1-A through 5.1-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

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 Brannon Corporation, for the Calabazas Creek Erosion Repair Project, under the Watershed Asset Rehabilitation Program, Project No. 62084001, Contract No. C0715 in the Sum of \$1,148,268 (Cupertino, District 5).

Recommendation: A. Ratify Addenda No(s). 1, 2, and 3 to the Contract Documents for the Calabazas Creek Erosion Repair Project;
 B. Award the Construction Contract to Brannon Corporation, located in Morgan Hill, CA, in the sum of \$1,148,268; and
 C. Approve a contingency sum of 15% in the amount of \$172,240 and authorize the Chief Executive Officer or designee to approve individual change orders up to the designated amount.

The Board considered this item without a staff presentation.

Move to Approve: 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.

8. ASSISTANT CHIEF EXECUTIVE OFFICER:

- 8.1. Approve Amendment No. 3 to Agreement No. A4418A with COWI North America, Inc. for Construction Management Services for the Anderson Dam Tunnel Project, Project No. 91864006, CAS File No. 5135, Increasing the Fee by \$14,008,500 for a Total Revised Fee of \$53,170,972 and Extending the Term to April 30, 2027 (Morgan Hill, District 1).

Recommendation: Approve Amendment No. 3 to Agreement No. A4418A, with COWI North America, Inc. for Construction Management Services for the Anderson Dam Tunnel

Project, Project No. 91864006, increasing the fee by \$14,008,500, for a revised total fee of \$53,170,972 and extending the term to April 30, 2027.

Ryan McCarter, Deputy Operating officer, reviewed the information on this item per the attached Board Agenda Memo.

Move to Approve: John L. Varela
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.

9. EXTERNAL AFFAIRS:

None.

10. CHIEF EXECUTIVE OFFICER:

10.1. CEO and Chiefs' Reports.

Darin Taylor, Chief Financial Officer, reviewed and distributed the attached Bi-Monthly Grants Update, identified as Handout 10.1-C herein. Copies of the Handout were distributed to the Board and made available to the public.

Rachael Gibson, Chief of External Affairs, reviewed and distributed the attached Office of Government Relations Report and the Office of Civic Engagement Monthly Update, identified as Handouts 10.1-A and 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.

Candice Kwok-Smith, Clerk, Board of Directors, reviewed the information on this item per the attached Board Agenda Memo.

The Board noted the information without formal action.

14. BOARD MEMBER REPORTS/ANNOUNCEMENTS:

Director Varela reported presenting at the Sons in Retirement on the Pacheco Reservoir and Anderson Dam projects.

Director Hsueh reported attending a CIP Committee and ECCC meetings, a San Francisco Creek Joint Powers Authority Board meeting, and various meetings with staff.

Director Ballard reported attending a Recycling and Waste Reduction Commission meeting and a Delta Conveyance Delta Tour and informed the Board that the next Valley Water Bike Pool will be held on July 23, 2025.

Vice Chair Santos reported attending the aforementioned ECCC, Agricultural Water Advisory Committee meetings, and a B.F. Sisk Dam Raise Site Visit with Senator Adam Schiff.

Director Eisenberg reported attending various meetings within their District.

Director Beall announced the Assisted Listening Availability service in the boardroom.

Chairperson Estremera reported attending the aforementioned CIP Committee meeting, a Recycled Water Committee meeting, Agenda Review, and various meetings with staff.

15. CLERK REVIEW AND CLARIFICATION OF BOARD REQUESTS:

None.

16. ADJOURN:

Chairperson Estremera adjourned the meeting in recognition of Disability Pride month, and French American Heritage Month; and in the memory of Trish Mulvey, at 1:53 p.m. The Board will convene for the next Special meeting at 11:00 a.m. on Monday, July 21, 2025, 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: August 12, 2025