



BOARD OF DIRECTORS MEETING

MINUTES

**CLOSED SESSION AND REGULAR MEETING
TUESDAY, FEBRUARY 11, 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, Rebecca Eisenberg, Nai Hsueh, Richard P. Santos, constituting a quorum of the Board.

During Chairperson Estremera's absence, the meeting was facilitated by Vice Chairperson Santos.

Directors Jim Beall, John Varela, and Tony Estremera arrived as noted below.

Staff members in attendance were Melanie Richardson, Interim Chief Executive Officer, A. Beaman, Acting District Counsel, M. Overland, Interim Clerk, Board of Directors, E. Aryee, A. Baker, L. Bankosh, M. Bilski, J. Bourgeois, R. Chan, J. Codianne, A. Garcia, C. Hakes, B. Hopper, C. Kwok-Smith, C. Lawson, R. McCarter, P. McElroy, and T. Ndah. Deputy Administrative Officer Marta Lugo represented Chief of External Affairs Rachael Gibson.

2. 11:00 AM - CLOSED SESSION:

Vice Chairperson Santos confirmed that the Board would adjourn to Closed Session to consider Item 2.1, and Item 2.2 was continued to the February 25, 2025, regular Board Meeting.

Max Overland, Interim Clerk, Board of Directors, noted for the record that Closed Session Item 2.2 is continued to the February 25, 2025, Board meeting.

Directors Beall, and Varela arrived.

Chairperson Estremera arrived and assumed the facilitation of the meeting.

- 2.1. CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Gov. Code Section 54956.9(d)(1)
Theresa Krakov v. Santa Clara Valley Water District
(WCAB Case No. ADJ 20111454)
- 2.2. CONFIDENTIAL CLOSED SESSION
CONFERENCE WITH HUMAN RESOURCES - PUBLIC EMPLOYEE DISCIPLINE
Pursuant to Section 54957(b)

Upon return from Closed Session, the same Board members, including Directors Beall, Varela, Chairperson Estremera and staff, were present.

- 2.3. District Counsel Report on Closed Session.

Audrey Beaman, Acting District Counsel, reported that in regard to Item 2.1, the Board met in Closed Session with all members participating, including Directors Beall, Varela, and Chairperson Estremera, and took no reportable action.

Chairperson Estremera is in attendance via Zoom utilizing AB 2449 due to an illness.

Max Overland requested that Chairperson Estremera state for the record if there are any individuals over 18 years of age present in the room, and if so, state the general relationship to the individual and confirmed that all votes for the meeting would be roll call votes in compliance with AB 2449. Chairperson Estremera confirmed there were no individuals over the age of 18 present in the room.

3. 1:00 PM - TIME CERTAIN:

- 3.1. Pledge of Allegiance/National Anthem.

Director Varela led all present in reciting the Pledge of Allegiance.

Chairperson Estremera reviewed the Code of Conduct for the Board and requested that the Board set a time limit for Directors to 3 minutes and the Board member can request an additional 2 minutes as approved by the Chair.

Motion: Approve the Code of Conduct and Time Limits for the current meeting as set forth by Chairperson Estremera.

Move to Approve: Richard Santos

Second: John L. Varela

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

Nays: Rebecca Eisenberg

Abstains: None

Recuses: None

Absent: None

Summary: 6 Yeas; 1 Nays; 0 Abstains; 0 Absent.

3.2. Orders of the Day.

Chairperson Estremera confirmed that Item 3.5 would be continued to the February 25, 2025, Board Meeting.

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.

Doug Peterson, San Jose resident, requested that Valley Water make the website more accessible and provide direct links to votes on projects.

Chairperson Estremera moved the agenda to Item 3.5.

3.5. Conduct a Public Hearing on the Proposed Modification of Project E7: San Francisco Bay Shoreline Protection Under the Renewed Safe, Clean Water and Natural Flood Protection Program.

- Recommendation:
- A. Open and conduct a Public Hearing on the proposed modification of Project E7: San Francisco Bay Shoreline Protection, a project under Priority E of the Renewed Safe, Clean Water and Natural Flood Program;
 - B. Close the Public Hearing;
 - C. Adopt the resolution APPROVING THE MODIFICATION OF PROJECT E7: SAN FRANCISCO BAY SHORELINE PROTECTION OF THE SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM; and
 - D. Review and Approve the Proposed Text Adjustments to Project E7: San Francisco Bay Shoreline Protection.

Chairperson Estremera opened the Public Hearing.

Jessica Collins, Business Planning and Analysis Manager, reviewed the information on this Item per the attached Board Agenda Memo.

Chairperson Estremera declared time open for public comments.

Pat Burt and Karin North, Palo Alto City Councilmembers, expressed gratitude for Valley Water's collaboration and requested the Public Hearing be continued to a later date.

Dashell Leeds, Sierra Club, Loma Prieta Chapter Conservation Assistant, and Santa Clara Valley Bird Alliance representative, expressed gratitude for continuing the Item and stressed the need for local funding.

Dawn Cameron, City of Mountain View, Assistant City Manager, expressed gratitude for continuing the Item and the opportunity to work further with Valley Water Staff.

Peter Druckmeier, Palo Alto resident and Tuolumne River Trust Policy Director, expressed gratitude for continuing the Item.

Chairperson Estremera continued the Public Hearing to the February 25, 2025, Board meeting and returned the agenda to Item 3.4.

3.4. Conduct a Public Hearing to Determine the Necessity for the Board of Directors to be Compensated for up to 15 Days Per Calendar Month, and to Consider Meeting Compensation Amount for Calendar Year 2025.

- Recommendation:
- A. Open and conduct a Public Hearing to allow members of the public to provide comments on the need to compensate Directors for up to 15 days per calendar month, and Director meeting compensation amount for calendar year 2025;
 - B. Close the Public Hearing; and
 - C. Discuss, make a finding, and adopt the Ordinance PROVIDING FOR COMPENSATION OF DIRECTORS OF SANTA CLARA VALLEY WATER DISTRICT PURSUANT TO CHAPTER 2, DIVISION 10, CALIFORNIA WATER CODE, reflecting the number of meetings per calendar month Directors should be compensated and the Director meeting compensation amount for calendar year 2025; or
 - D. Provide direction to the Interim Clerk, Board of Directors relevant to the authorized number of compensated meetings per month and meeting compensation amount for calendar year 2025.

Chairperson Estremera opened the Public Hearing.

Max Overland, reviewed the information on this Item per the attached Board Agenda Memo.

Chairperson Estremera declared time open for public comments and, seeing no one present who wished to speak, requested a motion to close the Public Hearing.

Motion: Close the Public Hearing.

Move to Approve: Richard Santos

Second: John L. Varela

Yeas: Jim Beall, Rebecca Eisenberg, Tony Estremera, Shiloh Ballard, 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.

Motion: Adopt Ordinance No. 2025-01 PROVIDING FOR COMPENSATION OF DIRECTORS OF SANTA CLARA VALLEY WATER DISTRICT PURSUANT TO CHAPTER 2, DIVISION 10, CALIFORNIA WATER CODE, reflecting the number of meetings per calendar month Directors should be compensated and the Director meeting compensation amount for calendar year 2025. Move to Adopt:

Richard Santos

Second: Shiloh Ballard

Yeas: Jim Beall, Rebecca Eisenberg, Tony Estremera,
Shiloh Ballard, 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.

REGULAR AGENDA:

4. CONSENT CALENDAR: (4.1 - 4.8)

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

- 4.1. Adopt a Resolution Setting the Time and Place of a Public Hearing on the Report on Activities in Protection and Augmentation of Water Supplies of the Santa Clara Valley Water District and Proposed Fiscal Year 2025-2026 Groundwater Production Charges and Surface Water Charges, Beginning April 8, 2025, at 1:00 p.m. and Concluding April 22, 2025, at 1:00 p.m.

Recommendation: A. Adopt the Resolution CALLING A PUBLIC HEARING TO CONSIDER COMMENTS FROM MEMBERS OF THE PUBLIC ON THE REPORT ON THE ACTIVITIES IN THE PROTECTION AND AUGMENTATION OF THE WATER SUPPLIES OF THE SANTA CLARA VALLEY WATER DISTRICT, FISCAL YEAR 2025-2026; and
B. Set the time and place for this Public Hearing to begin on April 8, 2025, at 1:00 p.m. in the Santa Clara Valley Water District Boardroom, continuing to April 10, 2025, at 7:00 p.m. in the City of Morgan Hill Council Chamber Building, and concluding on April 22, 2025, at 1:00 p.m. in the Santa Clara Valley Water District Boardroom.

- 4.2. Adopt a Resolution Setting Time and Date of a Public Hearing on the Final Environmental Impact Report and Engineer’s Report for the Anderson Dam Seismic Retrofit Project, Project No. 91864005 (Morgan Hill, District 1).

Recommendation: Adopt the Resolution SETTING TIME AND DATE OF PUBLIC HEARING ON THE FINAL ENVIRONMENTAL IMPACT REPORT AND ENGINEER'S REPORT FOR THE ANDERSON DAM SEISMIC RETROFIT PROJECT, to occur on February 25, 2025, at 1:00 PM, in the Boardroom at Santa Clara Valley Water District, Headquarters Building, 5700 Almaden Expressway, San Jose, California.

- 4.3. Adopt Plans and Specifications and Authorize Advertisement for Bids for the Permanente and Hale Creeks Concrete Channel Repair Project, Under the Watersheds Asset Rehabilitation Program, Project No. 62084001, Contract No. C0707 (Mountain View and Los Altos, District 7).

Recommendation: A. Adopt the Plans and Specifications and Authorize Advertisement for Bids for Construction of the

Permanente and Hale Creeks Concrete Channel Repair Project per the Notice to Bidders; and
B. Authorize the Designated Engineer to issue addenda, as necessary, during the bidding process.

4.4. Approve Appointment for a Two-Year Term to the Environmental and Water Resources Committee.

Recommendation: Consider and approve appointment for a two-year term to the Environmental and Water Resources Committee.

4.5. Approve Appointment for a Two-Year Term to the Environmental and Water Resources Committee.

Recommendation: Consider and approve appointment for a two-year term to the Environmental and Water Resources Committee.

4.6. Approve Re-Appointment for an Additional Two-Year Term to the Environmental and Water Resources Committee.

Recommendation: Consider and approve re-appointment for an additional two-year term to the Environmental and Water Resources Committee.

4.7. Accept the CEO Bulletin for the Weeks of January 24, through February 6, 2025.

Recommendation: Accept the CEO Bulletin.

4.8. Approval of Minutes.

Recommendation: Approve the minutes.

Motion: Approve Consent Calendar Items 4.1 through 4.8, under one motion, as follows: Adopt Resolution No. 2025-08, CALLING A PUBLIC HEARING TO CONSIDER COMMENTS FROM MEMBERS OF THE PUBLIC ON THE REPORT ON THE ACTIVITIES IN THE PROTECTION AND AUGMENTATION OF THE WATER SUPPLIES OF THE SANTA CLARA VALLEY WATER DISTRICT, FISCAL YEAR 2025-2026, and Resolution No. 2025-09, SETTING TIME AND DATE OF PUBLIC HEARING ON THE FINAL ENVIRONMENTAL IMPACT REPORT AND ENGINEER'S REPORT FOR THE ANDERSON DAM SEISMIC RETROFIT PROJECT, by roll call vote, as contained in Items 4.1 and 4.2, respectively; adopt the Plans and Specifications and authorize advertisement for bids for construction of the Permanente and Hale Creeks Concrete Channel Repair Project per the Notice to Bidders and authorize the designated Engineer to issue addenda, as necessary, during the bidding process, by roll call vote, as contained in Item 4.3; approve appointment for a two-year term to the Environmental and Water Resources Committee, by roll call vote, as contained in Items 4.4 and 4.5, respectively; approve re-appointment for an additional two-year term to the

Environmental and Water Resources Committee, by roll call vote, as contained in Item 4.6; accept the CEO Bulletin, by roll call vote, as contained in Item 4.7; and approve the minutes, by roll call vote, as contained in Item 4.8.

Move to Approve: Richard Santos
Second: John L. Varela
Yeas: Jim Beall, Rebecca Eisenberg, Tony Estremera, Shiloh Ballard, 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. Review Recommended Changes to the Board Committees and Approve the Revised 2025 Board Committee Appointments.

Recommendation: Approve recommended changes to the 2025 Santa Clara Valley Water District Board Committee Appointments.

Max Overland reviewed the information on this Item, per the attached Board Agenda Memo and per the information contained in Attachment 1.

Director Eisenberg stated for the record that the removal of her positions stated by the Board was to be for one year, and it violates the spirit of both the code and our laws to extend that without an opportunity to be heard.

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

5.2. Board Committee Reports.

The Board reviewed the information on the October 21, 2024, Environmental Water Recycling Committee, October 23, 2024, Water Commission Committee, December 4, 2024, Independent Monitoring Committee, December 16, 2024, Capital Improvement Program Committee and January 6, 2025, Agricultural Water Advisory Committee summaries contained in Handouts 5.2-A through 5.2-

E, respectively, 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. WATRSHEDS:

None.

8. ASSISTANT CHIEF EXECUTIVE OFFICER:

None.

9. EXTERNAL AFFAIRS:

None.

10. CHIEF EXECUTIVE OFFICER:

10.1. CEO and Chiefs' Reports.

Christopher Hakes, Chief Operating Officer, reviewed the attached Storm Report, identified as Handout 10.1-C, and Marta Lugo, Acting Chief of External Affairs, reviewed the attached Office of Civic Engagement Monthly Update, identified as Handout 10.1-A, and Office of Government Relations Summary, identified as Handout 10.1-B.

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

Julianne Wang, Policy Advocate Assistant Santa Clara Valley Bird Alliance, expressed the need for tidal protection and the urgency for securing projects with local funding.

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.

Max Overland, reviewed the information on this Item, per the attached Board Agenda Memo and per the information contained in Attachment 2. The Board noted the information and took no formal action.

14. BOARD MEMBER REPORTS/ANNOUNCEMENTS:

Director Varela reported attending a San Luis and Delta-Mendota Water Authority and Pajaro River Watershed Flood Prevention Authority meeting; a Union Leadership meeting; a Pacheco Reservoir Update briefing, and a Madrone Channel Trail event in Morgan Hill.

Director Hsueh reported attending the San Francisquito Creek Joint Powers Authority meeting; a Landscape committee meeting; and various meetings with staff.

Director Ballard reported attending the aforementioned Landscape committee meeting.

Vice Chair Santos reported attending the aforementioned Landscape committee meeting; and a Berryessa Citizens Advisory Council meeting.

Director Eisenberg reported meeting with constituents.

Director Beall reported attending an Erikson Neighborhood Association meeting, a Local Agency Formation Commission meeting, and a ceremonial swearing-in for Council Member Domingo Candelas, representing District 8 of San Jose.

Chairperson Estremera reported attending the aforementioned Union Leadership meeting and various meetings with staff.

15. CLERK REVIEW AND CLARIFICATION OF BOARD REQUESTS:

Max Overland confirmed that there were no new Board Member Requests.

16. ADJOURN:

16.1 Adjourn to the 1:00 p.m. Regular meeting on February 25, 2025, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California, and via Zoom teleconference.

Chairperson Estremera adjourned the meeting in honor of Black History Month at 2:28 p.m. to the 1:00 p.m. Regular meeting on February 28, 2025, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California, and via Zoom teleconference.

Maximillion Overland, CMC
Interim Clerk, Board of Directors

Approved:

Date: March 25, 2025

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