



BOARD OF DIRECTORS MEETING

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# MINUTES

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**CLOSED SESSION AND REGULAR MEETING  
TUESDAY, JUNE 11, 2024  
10:00 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 10:00 a.m.

1.1. Roll Call.

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

Directors Jim Beall, Rebecca Eisenberg, and Tony Estremera arrived as noted below.

Staff members in attendance were R. Callender, Chief Executive Officer, C. Orellana, District Counsel, Maximillion Overland, Deputy Clerk, Board of Directors, L. Bankosh, M. Bilski, J. Codianne, A. Gschwind, R. McCarter, T. Ndah, K. Struve, B. Yerrapotu, and T. Yoke. Sam Bogale, represented Chief Operating Officer Aaron Baker, John Bourgeois represented Chief Operating Officer Chris Hakes, and Marta Lugo represented Chief of External Affairs Racheal Gibson.

**2. 10:00 AM - CLOSED SESSION:**

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

Directors Beall and Estremera arrived.

2.1. CLOSED SESSION  
CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION  
Pursuant to Government Code Section 54956.9(d)(4)  
Two Potential Cases

2.2. CLOSED SESSION  
PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to Government Code Section 54957(b)(1)  
Titles: CEO, District Counsel, and Clerk of the Board

2.3. 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, including Directors Beall and Estremera, and excluding Director Eisenberg, and gave direction to staff.

Chairperson Hsueh reported that in regard to Item 2.2, the Board met in Closed Session with all members participating, including Directors Beall and Estremera, and excluding Director Eisenberg, and took no reportable action.

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

3.1. Pledge of Allegiance/National Anthem.

John Bourgeois, Acting 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.

**REGULAR AGENDA:**

**4. CONSENT CALENDAR:**

The Board considered Consent Calendar Items 4.1 through 4.5 under one motion.

4.1. Adopt a Resolution Establishing Appropriations Limit for Fiscal Year 2024-25.

Recommendation: A. Select the cost-of-living factor to establish the Santa Clara Valley Water District's Appropriations Limit; and  
B. Adopt the Resolution ESTABLISHING  
APPROPRIATIONS LIMIT FOR FISCAL YEAR 2024-25.

4.2. Adopt a Resolution Requesting and Consenting to Consolidation of Election for November 5, 2024, and Requesting Consolidation and Performance of Services from the County of Santa Clara Registrar of Voters.

Recommendation: Adopt the Resolution CALLING A GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024, AND REQUESTING CONSOLIDATION AND PERFORMANCE OF SERVICES FROM THE COUNTY OF SANTA CLARA REGISTRAR OF VOTERS.

- 4.3. Adopt a Resolution Declaring June 19, 2024, as "Juneteenth Independence Day" in Recognition of June 19, 1865, the Date on Which the End of Slavery in the United States is Commemorated.

Recommendation: Adopt the Resolution DECLARING JUNE 19, 2024, AS "JUNETEENTH INDEPENDENCE DAY" IN RECOGNITION OF JUNE 19, 1865, THE DATE ON WHICH SLAVERY ENDED IN THE UNITED STATES.

- 4.4. Accept the CEO Bulletin for the Weeks of May 24, 2024, Through June 6, 2024.

Recommendation: Accept the CEO Bulletin.

- 4.5. Approval of Minutes.

Recommendation: Approve the minutes.

Motion: Approve Consent Calendar Items 4.1 through 4.5, under one motion, as follows: adopt Resolution Nos. 24-36, ESTABLISHING APPROPRIATIONS LIMIT FOR FISCAL YEAR 2024-25, 24-37, CALLING A GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024, AND REQUESTING CONSOLIDATION AND PERFORMANCE OF SERVICES FROM THE COUNTY OF SANTA CLARA REGISTRAR OF VOTERS, and 24-38, DECLARING JUNE 19, 2024, AS "JUNETEENTH INDEPENDENCE DAY" IN RECOGNITION OF JUNE 19, 1865, THE DATE ON WHICH SLAVERY ENDED IN THE UNITED STATES, by roll call vote, as contained in Items 4.1 through 4.3; accept the CEO Bulletin, as contained in Item 4.4; and approve the minutes, as contained in Item 4.5.

Move to Approve: Richard Santos

Second: John L. Varela

Yeas: Jim Beall, Tony Estremera, Barbara F. Keegan, Richard Santos, John L. Varela, Nai Hsueh

Nays: None

Abstains: None

Recuses: None

Absent: Rebecca Eisenberg

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

The Yeas have it, and the motion passed.

## 5. BOARD OF DIRECTORS:

- 5.1. Board Committee Reports.

The Board reviewed the information on the April 3, 2024, Joint Water Resources Committee, May 15, 2024, Board Audit Committee, May 15, 2024, Board Policy and Monitoring Committee, and May 17, 2024, Water Supply and Demand Management meeting summaries and agendas contained in Handouts 5.1-A, 5.1-B, 5.1-C, and 5.D, 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. WATERSHEDS:**

None.

**8. ASSISTANT CHIEF EXECUTIVE OFFICER:**

- 8.1. Receive an Update on Costs Associated with the Pacheco Reservoir Expansion Project, Project No. 91954002 (Santa Clara County District 1, Merced County).

Recommendation: Receive an informational update on costs associated with the Pacheco Reservoir Expansion Project, Project No. 91954002 (Santa Clara County - District 1, Merced County).

Director Eisenberg arrived.

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.

Chairperson Hsueh acknowledged receipt of the attached Handouts, identified as Handouts 8.1-A through 8.1-I, respectively, herein. Copies of the Handouts were distributed to the Board and made available to the public.

Osha Meserve, Stop the Pacheco Dam representative, requested that the Board create a timeline to make decision regarding the project to avoid wasting money.

Katja Irvin, Sierra Club Loma Prieta Chapter, expressed thanks for the notice of this meeting being sent to the Pacheco Project interested parties and requested further notification to the list for future Pacheco Project related meetings, including with Committees.

Forest Olaf Peterson, Stanford University Engineer, expressed dissatisfaction with the level of engagement with the Tribal Community regarding the Pacheco Project.

The Board noted the information and took no formal action.

**9. EXTERNAL AFFAIRS:**

None.

**10. CHIEF EXECUTIVE OFFICER:**

- 10.1. CEO and Chiefs' Reports.

Marta Lugo, Acting Chief of External Affairs, reviewed the attached Office of Government Relations Summary, identified as Handout 10.1-B and the Office of Communications Update, identified as Handout 10.1-A, 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 2023-2024 Board Policy Planning Calendar.

Recommendation: Review the Fiscal Year 2023-2024 Board Policy Planning Calendar.

The Board noted the information and took no formal action.

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

Director Keegan reported attending Santa Clara County Special Districts Association meeting, attended Valley Water's Water 101 Academy graduation ceremony, and various meetings with staff.

Director Varela reported attending the Elevate Economic Mobility Symposium; a South County Wastewater facility meeting, a San Luis and Delta-Mendota Water Authority meeting, and a Santa Clara County Farm Bureau meeting, and reported attending the Morgan Hill Mushroom Festival.

Director Estremera reported attending the aforementioned Santa Clara County Special Districts Association meeting; a Santa Clara Valley Water District Joint Recycled Water Policy Advisory Committee meeting; a Redevelopment Oversight, and a La Raza Round Table meeting.

Director Beall reported attending the aforementioned Valley Water's Water 101 graduation ceremony; an Eriksons Homeowner Association and a Local Agency Formation Commission of Santa Clara County (LAFCO) meeting; and reported participating in a Memorial Day Service and Eastridge Light Rail Groundbreaking events.

Director Santos reported attending a Valley Water Procurement meeting.

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

Maximillion Overland, Deputy Clerk, Board of Directors, confirmed that there were no new Board Member Requests.

**16. ADJOURN:**

- 16.1 Adjourn to the 10:00 a.m. Special Meeting on June 18, 2024, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California, and via Zoom teleconference.

Chairperson Hsueh adjourned the meeting in honor of Caribbean-American Heritage, Immigrants Heritage, and PRIDE month, at 2:47 p.m., to the 2:30 p.m. Special Closed Session Meeting on June 11, 2024, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California, and via Zoom teleconference.

Maximillion Overland, CMC  
Deputy Clerk, Board of Directors

Approved:

Date: