



Santa Clara Valley Water District Board of Directors Meeting

Headquarters Building Boardroom

CLOSED SESSION AND SPECIAL MEETING AGENDA

**Wednesday, March 18, 2020
12:00 PM**

District Mission: Provide Silicon Valley safe, clean water for a healthy life, environment and economy.

DISTRICT BOARD OF DIRECTORS

Nai Hsueh, Chair, District 5
Tony Estremera, Vice Chair, District 6
John L. Varela, District 1
Barbara Keegan, District 2
Richard P. Santos, District 3
Linda J. LeZotte, District 4
Gary Kremen, District 7

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the Clerk of the Board at the Santa Clara Valley Water District Headquarters Building, 5700 Almaden Expressway, San Jose, CA 95118, at the same time that the public records are distributed or made available to the legislative body. Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to attend Board of Directors' meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

NORMA CAMACHO
Chief Executive Officer

MICHELE L. KING, CMC
Clerk of the Board
(408) 265-2600
Fax (408) 266-0271
www.valleywater.org

Note: The finalized Board Agenda, exception items and supplemental items will be posted prior to the meeting in accordance with the Brown Act.

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Board of Directors
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Attending Santa Clara Valley Water District Board meetings in person poses a heightened risk of COVID-19 transmission. Older adults and individuals with existing health conditions are at particularly serious risk and should not attend and should consider participating remotely through the link(s) provided below.

1. CALL TO ORDER:

Join the Meeting at:
<https://valleywater.zoom.us/j/290399892>
Meeting ID 290 399 892
1 (669) 900-9128

1.1. Roll Call.

2. TIME CERTAIN:

12:00 PM

Notice to the Public: The Board of Directors meets in Closed Session in accordance with the Ralph M. Brown Act. Following the conclusion of Closed Session discussion, the Board will return for the remaining items on the regular meeting agenda.

2.1.

[20-0271](#)

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

2.2.

[20-0311](#)

CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(d)(1)
Herlinda Espitia vs. Santa Clara Valley Water District, et al.
Santa Clara County Superior Court, Case No. 20CV363712

2:00 PM

Rejoin the Meeting at:
<https://valleywater.zoom.us/j/632463881>
Meeting ID: 632 463 8811
1 (669) 900-9128

2.3. District Counsel Report.

2.4. Pledge of Allegiance/National Anthem.

2.5. Time Open for Public Comment on any Item not on the Agenda.

Notice to the public: This item is reserved for persons desiring to address the Board on any matter not on this agenda. Members of the public who wish to address the Board on any item not listed on the agenda should complete a Speaker Card and present it to the Clerk of the Board. The Board Chair will call individuals to the podium in turn. Speakers comments should be limited to three minutes or as set by the Chair. The law does not permit Board action on, or extended discussion of, any item not on the agenda except under special circumstances. If Board action is requested, the matter may be placed on a future agenda. All comments that require a response will be referred to staff for a reply in writing. The Board may take action on any item of business appearing on the posted agenda.

*2.6. ITEM REMOVED FROM AGENDA
Consideration of Project Labor Agreement.

*2.7. ITEM REMOVED FROM AGENDA.
Receive Information and Discuss Public Safety, Water Supply, Water Quality, and Biological Impacts of Additional Interim Risk Reduction Measures mandated by the Federal Energy Regulatory Commission (FERC) prior to Construction of the Anderson Dam Seismic Retrofit Project (ADSRP) (Morgan Hill, District 1).

*2.8. Discuss Parameters for Conducting Brown Acted Public Board and Committee Meetings in Consideration of Section 11 of Governor Newsom's Executive Order N-25-20, Relevant to the Brown Act and Social Distancing. [20-0348](#)

Recommendation: A. Discuss parameters for conducting Brown Acted Public Board and Committee Meetings in consideration of Section 11 of Governor Newsom's Executive Order N-25-20, relevant to the Brown Act; and
B. Provide direction to staff.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: Governor Newsom's Executive Order N-25-20](#)

Est. Staff Time: 5 Minutes

- *2.9. Ratification and Declaration of State of Emergency COVID-19 Resulting in the Threat To Public Services. [20-0352](#)

Recommendation: A. Ratify the declaration of emergency declared by Chief Executive Officer (CEO) on March, 13, 2020; and
B. Determine by a four-fifths vote of the Board that there is a need to continue the emergency action declared by the CEO on March 13, 2020, due to the threat to public services posed by the novel coronavirus - COVID-19.

Manager: Tina Yoke, 408-630-2385.

Attachments: [Attachment 1: Declaration of Emergency](#)

- *2.10 Update on the Condition of the Milpitas Pipeline and Determination that the Condition of the Milpitas Pipeline Continues to Constitute an Emergency (San Jose) (District 3). [20-0353](#)

Recommendation: A. Receive an update on the Milpitas Pipeline; and
B. Determine by a four-fifths vote of the Board that there is a need to continue the emergency action declared by the Chief Executive Officer (CEO) on March 16, 2020, pursuant to California Public Contract Code §22050, to repair the Milpitas Pipeline.

Manager: Aaron Baker, 408-630-2135

Attachments: [Attachment 1: Declaration of Emergency](#)

3. ADJOURN:

- 3.1. Clerk Review and Clarification of Board Requests.
- 3.2. Adjourn to 4:00pm Closed Session and 6:00pm Regular Meeting on March 24, 2020, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.