



BOARD OF DIRECTORS MEETING

MINUTES

**SPECIAL MEETING
FRIDAY, JULY 6, 2018
1:00 PM**

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER

1.1. Roll Call.

Board members in attendance were Tony Estremera, Gary Kremen, Linda J. LeZotte, Barbara Keegan, Richard Santos, John L. Varela, and Nai Hsueh, constituting a quorum of the Board.

Directors Keegan and Kremen participated by teleconference, from locations disclosed on the agenda.

Staff members in attendance were N. Camacho, Chief Executive Officer (CEO), M. King, Clerk/Board of Directors, E. Aryee, A. Comelo, C. Hakes, G. Hall, N. Hawk, D. Taylor, S. Tikekar, and T. Yoke.

Senior Assistant District Counsel A. Fulcher represented District Counsel S. Yamamoto; Communications Manager Linh Hoang represented Chief of External Affairs R. Callender; and Deputy Operating Officer N. Nguyen represented Chief Operating Officer, Watersheds, M. Richardson.

1.2. Pledge of Allegiance/National Anthem.

Mr. Darin Taylor, Chief Financial Officer, led all present in reciting the Pledge of Allegiance.

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

Chairperson Santos declared time open for public comment on any item not on the agenda.

Ms. Katja Irvin, speaking as a resident of San Jose, encouraged the Board to actively listen to and consider the public input it receives, and encouraged the Board to make improvements to its public meeting notification processes, using the City of San Jose's California Environmental Quality Act Public Notification

Process as a model, to allow constituents more time to plan and prepare to attend.

2. TIME CERTAIN

1:00 PM

- 2.1. Update on California WaterFix; Approve and Execute the Delta Conveyance Finance Authority Joint Powers Agreement; and Adopt a Resolution for Approval of the Delta Conveyance Finance Authority Joint Powers Agreement.

Recommendation:

- A. Approve and Execute the Delta Conveyance Finance Authority Joint Powers Agreement;
- B. Designate a District Representative and Alternate to serve on the Board of Directors of the Delta Conveyance Finance Authority for the first two years following formation; and
- C. Adopt a Resolution for APPROVAL OF THE DELTA CONVEYANCE FINANCE AUTHORITY JOINT POWERS AGREEMENT.

Mr. Taylor reviewed the information on this item, per the attached Board Agenda Memorandum.

Chairperson Santos acknowledged receipt of the two attached statements from Mr. Alan and Ms. Meg Giberson, identified as Handouts 2.1-A and 2.1-C, and one attached statement from Mr. Les Kishler, identified as Handout 2.1-B, herein. Copies of the Handouts were distributed to the Board and made available to the public.

Ms. Nora Kovalski, Restore the Delta, expressed concern that the amount of time allowed for public notification of today's meeting did not take into consideration many constituents' holiday week schedules, and requested the Board write a clear letter to Congress expressing opposition to Congressman Ken Calvert's rider banning judicial review of Delta Tunnels lawsuits.

Ms. Swanee Edwards, Morgan Hill resident, referenced the Delta Conveyance Finance Authority Board of Directors Quorum information contained in Attachment 3, Page 5, and requested information on guidelines for settling tie votes.

Ms. Meg Giberson, of undisclosed residency, expressed opposition to the Delta Conveyance Finance Authority Joint Powers Agreement and requested the Board postpone action on the agreement and proposed resolution.

Ms. Irvin, speaking on behalf of the Sierra Club, Loma Prieta Chapter, expressed support for the comments previously expressed by Ms. Kovalski and Ms. Giberson relative to Congressman Calvert's rider and postponing action on the proposed resolution and agreement; and submitted the attached written statement, identified as Handout 2.1-D herein. Copies of the Handout were distributed to the Board and made available to the public.

In response to Ms. Kovaleski and Ms. Edwards comments, Ms. Nina Hawk, Chief Operating Officer, explained that a demarcation would exist between Delta Conveyance Finance Authority financial and administrative matters; and Ms. Linh Hoang, Communications Manager, confirmed that the District's Office of Government Relations had already sent a letter to Congressman Calvert, and all other District Congressional Delegates, expressing opposition to Congressman Calvert's rider.

Motion: Approve requesting the Delta Conveyance Finance Authority Joint Powers Agreement be revised to specify a three-member quorum, instead of two.

Move to Adopt: Richard Santos
Second: Linda J. LeZotte
Yeas: Linda J. LeZotte, Richard Santos
Nays: Tony Estremera, Gary Kremen, Barbara Keegan, John L. Varela, Nai Hsueh
Abstains: None
Recuses: None
Absent: None
Summary: 2 Yeas; 5 Nays; 0 Abstains; 0 Absent.

Chairperson Santos announced that the motion had failed.

Motion: Approve revising the Resolution to remove authorization for the CEO to make changes; adopt Resolution No. 18-46, for APPROVAL OF THE DELTA CONVEYANCE FINANCE AUTHORITY JOINT POWERS AGREEMENT, by roll call vote, as revised; approve and authorize the Chairperson to execute the Delta Conveyance Finance Authority Agreement; and approve the appointment of Directors Kremen and Hsueh as primary and alternate members to the Delta Conveyance Finance Authority Board, respectively.

Move to Adopt: Tony Estremera
Second: Barbara Keegan
Yeas: Tony Estremera, Gary Kremen, Linda J. LeZotte, Barbara Keegan, Richard Santos, John L. Varela, Nai Hsueh
Nays: None
Abstains: None
Recuses: None
Absent: None
Summary: 7 Yeas; 0 Nays; 0 Abstains; 0 Absent.

- 2.2. Agreement with Northgate Environmental Management, Inc., for On-Call Environmental Site Assessment, Remedial Design, and Storm Water Management and Engineering Services for a Not-to-Exceed Fee of \$500,000.

Recommendation: Approve the Agreement with Northgate Environmental Management, Inc., for On-Call Environmental Site

Assessment, Remedial Design, and Storm Water Management and Engineering Services for a not-to-exceed fee of \$500,000.

Mr. Emmanuel Aryee, reviewed the information on this item, per the attached Board Agenda Memorandum.

Move to Adopt:	Tony Estremera
Second:	Nai Hsueh
Yeas:	Tony Estremera, Gary Kremen, Linda J. LeZotte, Barbara Keegan, Richard Santos, John L. Varela, Nai Hsueh
Nays:	None
Abstains:	None
Recuses:	None
Absent:	None
Summary:	7 Yeas; 0 Nays; 0 Abstains; 0 Absent.

3. ADJOURN

3.1. Clerk Review and Clarification of Board Requests.

Ms. Michele King, Clerk/Board of Directors, confirmed that there were no new Board member requests.

Chairperson Santos requested that the July 10, 2018, Board of Directors meeting agenda be amended to remove Item 2.8, Delta Conveyance Finance Authority Joint Finance Agreement.

3.2. Adjourn to the 11:00 a.m. Closed Session and 1:00 p.m. Regular Meeting, on July 10, 2018, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.

Chairperson Santos adjourned the meeting at 2:20 p.m., to the 11:00 a.m. Closed Session and 1:00 p.m. Regular Meeting, on July 10, 2018, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.

Michele L. King, CMC
Clerk/Board of Directors

Approved:

Date: