



BOARD OF DIRECTORS MEETING

MINUTES

**CLOSED SESSION AND SPECIAL MEETING
WEDNESDAY, DECEMBER 12, 2018
12:30 PM**

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER:

A Closed Session and Special Meeting of the Santa Clara valley Water District Board of Directors was called to order in District Headquarters Conference Room A-124, at 5700 Almaden Expressway, San Jose, California, at 12:30 p.m.

1.1 Roll Call.

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

Staff in attendance were N. Camacho, Chief Executive Officer (CEO), S. Yamamoto, District Counsel, M. King, Clerk, Board of Directors, K. Arends, A. Baker, R. Callender, R. Chan, J. De La Piedra, A. Fulcher, V. Gin, C. Hakes, N. Hawk, E. Soderlund, D. Taylor, S. Tippetts, and T. Yoke.

1.2. 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. There was no one present who wished to speak.

Chairperson Santos announced that the Board would adjourn to Closed Session for consideration of Item 2.1. Upon return to Open Session, the same Board members and staff were present.

2. TIME CERTAIN:

12:30 PM

2.1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957(b)(1)
Title: Chief Executive Officer

2.2. District Counsel Report.

Chairperson Santos reported that the Board met in Closed Session with all members present, and took no reportable action.

2.3. Authorization to Execute the State Water Project Contract Extension Amendment and Resolution Making Responsible Agency Findings.

- Recommendation:
- A. Consider the Final Environmental Impact Report for the Water Supply Contract Extension Project prepared by the California Department of Water Resources as the Lead Agency;
 - B. Adopt a Resolution MAKING RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT TO USE THE DEPARTMENT OF WATER RESOURCES' FINAL ENVIRONMENTAL IMPACT REPORT FOR THE WATER SUPPLY CONTRACT EXTENSION PROJECT TO AUTHORIZE EXECUTION OF THE CONTRACT AMENDMENT BETWEEN DEPARTMENT OF WATER RESOURCES AND THE SANTA CLARA VALLEY WATER DISTRICT; and
 - C. Authorize the Chief Executive Officer to execute Amendment No. 24 to Water Supply Contract Between the State of California Department of Water Resources and Santa Clara Valley Water District for Continued Service and the Terms and Conditions Thereof (Extension Amendment).

Ms. Cindy Kao, Imported Water Manager, reviewed the information on this item per the attached Board Agenda Memo and the corresponding presentation materials contained in Attachment 6, and distributed the following materials: the attached memorandum from the Department of Water Resources (DWR) to the California Department of Natural Resources, dated December 11, 2019, identified as Handout 2.3-D herein; the attached DWR Approval of Water Supply Contract Extension Project document, identified as Handout 2.3-E herein; and the attached DWR Notice of Determination, identified as Handout 2.3-F herein.

Chairperson Santos acknowledged receipt of the following written comment letters: from Mr. Roger B. Moore, Law Office of Roger B. Moore, and Mr. Thomas H. Keeling, Freeman Firm, identified as Handout 2.3-A herein; from Ms. Katja Irvin, Sierra Club Loma Prieta Chapter, identified as Handout 2.3-B herein; and from Mr. Alan and Ms. Meg Giberson, of undisclosed residency, identified as Handout 2.3-C herein.

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

Chairperson Santos declared time open for public comment.

Ms. Meg Giberson suggested that public attendance at today's Board meeting may have been affected by a State hearing on the Bay Delta Plan, which was running concurrently. She encouraged the Board to continue a decision on Item 2.3, to allow additional members of the public to attend, and expressed opposition to the California WaterFix.

Motion: Adopt Resolution No. 18-63, MAKING RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT TO USE THE DEPARTMENT OF WATER RESOURCES' FINAL ENVIRONMENTAL IMPACT REPORT FOR THE WATER SUPPLY CONTRACT EXTENSION PROJECT TO AUTHORIZE EXECUTION OF THE CONTRACT AMENDMENT BETWEEN DEPARTMENT OF WATER RESOURCES AND THE SANTA CLARA VALLEY WATER DISTRICT, by roll call vote; and authorize the Chief Executive Officer to execute Amendment No. 24 to Water Supply Contract Between DWR and the Santa Clara Valley Water District for continued service and the terms and conditions thereof.

Move to Adopt: Gary Kremen
Second: John L. Varela
Yeas: Tony Estremera, Nai Hsueh, Barbara Keegan, Gary Kremen, Richard Santos, John L. Varela
Nays: Linda J. LeZotte
Abstains: None
Recuses: None
Absent: None
Summary: 6 Yeas; 1 Nays; 0 Abstains; 0 Absent.

Director LeZotte explained that she had voted in opposition to the item because of concerns that additional terms included in the State Water Project Contract Extension Amendment had not been adequately highlighted, and could define the California WaterFix as a water system facility of the State Water Project in the future.

2.4. Resolution of Appreciation for County of Santa Clara Board of Supervisors member Ken Yeager.

Recommendation: Adopt the Resolution Expressing Appreciation for Supervisor Ken Yeager.

Director LeZotte reviewed the information on this item, per the attached Board Agenda Memo.

Motion: Adopt Resolution No. 18-64, Expressing Appreciation for Supervisor Ken Yeager, by roll call vote.

Move to Adopt: Linda J. LeZotte
Second: Tony Estremera
Yeas: Tony Estremera, Nai Hsueh, Barbara Keegan, Gary Kremen, Linda J. LeZotte, Richard Santos, John L. Varela
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.

3.2. Adjourn to Special Joint Meeting with Santa Clara County Board of Supervisors at 9:30 a.m. on December 13, 2018, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.

Chairperson Santos adjourned the meeting at 2:00 p.m., to the Special Joint Meeting with Santa Clara County Board of Supervisors at 9:30 a.m. on December 13, 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: