

**BOARD OF DIRECTORS  
SANTA CLARA VALLEY WATER DISTRICT**

**RESOLUTION NO. 20-**

**SETTING TIME AND PLACE OF PUBLIC HEARING ON THE ENGINEER'S REPORT  
AND CEQA EXEMPTION DETERMINATION FOR THE PENITENCIA WATER TREATMENT  
PLANT REHABILITATION OF FLOCCULATION AND SEDIMENTATION BASINS PROJECT**

WHEREAS, the Santa Clara Valley Water District (Valley Water) has been duly and regularly established and exists pursuant to the provisions of the Santa Clara Valley Water District Act (District Act); and

WHEREAS, the Penitencia Water Treatment Plant Rehabilitation of Flocculation and Sedimentation Basins Project (proposed Project) is included in the Board-approved fiscal years 2021-2025 Capital Improvement Program; and

WHEREAS, on the 13th day of October 2020, the Engineer's Report for the proposed Project prepared by Valley Water's Engineers, titled "Penitencia Water Treatment Plant Rehabilitation of Flocculation and Sedimentation Basins Project No. 93764004," dated August 2020, was made available to the Board of Directors, providing:

1. A general description of the proposed Project;
2. A general description of and maps showing the location of the proposed Project and lands, rights of way, and easements required therefor; and
3. An estimate of the cost of the proposed Project and means of financing these costs.

WHEREAS, Section 12 of the District Act requires the Board to conduct a public hearing to consider all written and oral objections to the proposed project when: (1) the project is new construction and (2) the project is funded by single or joint zones of benefits; and

WHEREAS, the California Environmental Quality Act (CEQA) Guidelines section 15202(b) requires environmental review to be a subject of the public hearing if a public hearing is being held on a lead agency's decision to carry out or approve a project. Since Valley Water must conduct a public hearing on the Engineer's Report, the CEQA exemption determination for the proposed Project will also be considered during the hearing.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Santa Clara Valley Water District:

1. That the 27th day of October 2020 at 6:00 p.m., by teleconference Zoom meeting, be fixed as the time and place for a public hearing on the Engineer's Report and the CEQA exemption determination, and this Board of Directors will consider all written and oral comments to the proposed Project and CEQA determination; and
2. That the Engineer's Report for the proposed Project, titled "Penitencia Water Treatment Plant Rehabilitation of Flocculation and Sedimentation Basins Project No. 93764004," dated August 2020, is available for public inspection by any interested person at Valley Water's website: <https://www.valleywater.org/public-review-documents>.

Setting Time and Place of Public Hearing on the Engineer's Report and CEQA Exemption  
Determination for the Penitencia Water Treatment Plant Rehabilitation of Flocculation and  
Sedimentation Basins Project

Resolution No. 20-

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In compliance with the State Emergency Services Act, the Governor's Emergency Declaration related to the COVID-19 pandemic, the Governor's Executive Order N-29-20, and the March 16, 2020 Shelter in Place Order of the County of Santa Clara Public Health Officer, Valley Water's offices are closed to the public. Therefore, the Engineer's Report is unavailable for public inspection at Valley Water's offices and only available online. A copy of the Engineer's Report is also being distributed to the City Clerk's office in the City of San Jose and may be available on its website.

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by the following vote on October 13, 2020:

AYES: Directors

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

SANTA CLARA VALLEY WATER DISTRICT

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Chair, Board of Directors

ATTEST: MICHELE L. KING, CMC

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Clerk, Board of Directors