



BOARD OF DIRECTORS MEETING

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# MINUTES

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**SPECIAL CLOSED SESSION MEETING  
TUESDAY, SEPTEMBER 15, 2020  
10:00 AM**

(Paragraph numbers coincide with agenda item numbers)

**1. CALL TO ORDER:**

A Special Closed Session 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, at 10:00 a.m.

**1.1 Roll Call.**

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

Director Tony Estremera arrived as noted below.

Staff in attendance was M. King, Clerk, Board of Directors. Staff members participating by teleconference were R. Callender, Chief Executive Officer, S. Yamamoto, District Counsel, and B. Hopper.

**1.2. Pledge of Allegiance/National Anthem.**

Director Santos led all present in reciting the Pledge of Allegiance.

**1.3. Time Open for Public Comment on Any Item Not on the Agenda**

Chairperson Hsueh declared time open for public comment on any subject not on the agenda. There was no one present who wished to speak.

**2. TIME CERTAIN:**

**10:00 AM**

Chairperson Hsueh confirmed that the Board would adjourn to Closed Session for consideration of Item 2.1.

During Closed Session, Director Estremera arrived and upon conclusion of Closed Session, Directors Kremen, LeZotte, and Varela concluded their participation by teleconference and did not rejoin.

Upon return to Open Session the same Board members, including Director Estremera, and excluding Directors Kremen, LeZotte, and Varela, and staff were present.

## 2.1. CLOSED SESSION

### CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1):

*White, et al. v. SCVWD, et al. (Santa Clara Co. Superior Court, No. 18CV321600 (Lead))*

## 3. ADJOURN:

### 3.1. District Counsel Report.

Chairperson Hsueh reported that in regard to Item 2.1, the Board met in Closed Session with all members present and gave direction to staff.

### 3.2. Adjourn to 5:00 p.m. Closed Session and 6:00 p.m. Regular Meeting, on September 22, 2020, to be called to order in compliance with the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20.

Chairperson Hsueh adjourned the meeting at 11:15 a.m. to the 5:00 p.m. Closed Session and 6:00 p.m. Regular Meeting, on September 22, 2020, to be called to order in compliance with the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20.

Michele L. King, CMC  
Clerk, Board of Directors

Approved:

Date: 10/13/2020