



BOARD OF DIRECTORS MEETING

MINUTES

SPECIAL MEETING AND CLOSED SESSION
WEDNESDAY, APRIL 14, 2021
1:00 PM

(Paragraph numbers coincide with agenda item numbers)

1. CALL TO ORDER:

A Special Meeting and Closed Session of the Santa Clara Valley Water District (Valley Water) Board of Directors, conducted by Zoom Teleconference, was called to order at 1:00 pm.

1.1 Roll Call.

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

Staff in attendance was M. King, Clerk, Board of Directors. Staff participating by teleconference were R. Callender, Chief Executive Officer, L. Orta, Acting District Counsel, J. Aranda, A. Baker, L. Bankosh, B. Broome, M. Cook, V. Gin, C. Hakes, B. Hopper, H. McMahon, M. Richardson, D. Rocha, D. Taylor, S. Tippets, B. Yerrapotu, and T. Yoke.

1.2 Pledge of Allegiance/National Anthem.

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

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

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

Mr. Roland LeBrun, of undisclosed residency or affiliation, expressed concern with existing proposals for the Anderson Dam Seismic Retrofit Project. He encouraged the Board to investigate similar major dam repair and construction projects completed by Italy-based underground and special engineering firm Trevi S.p.A., and suggested obtaining more information about Trevi S.p.A. from the U.S. Army Corps of Engineers (USACE), or at the company's website, www.trevispa.com.

Director Estremera requested that staff seek more information from the USACE about Trevi S.p.A. (Board Member Request No. R-21-0002).

2. TIME CERTAIN:

1:00 PM

2.1 Pacheco Reservoir Expansion Project Workshop Topics, Project No. 91954002.

Recommendation: Receive and discuss information regarding the Pacheco Reservoir Expansion Project (PREP). This is an information-only item and no action is required.

Mr. Chris Hakes, Deputy Operating Officer, reviewed the information on this item per the attached Board Agenda Memo, and per the attached corresponding presentation materials contained in Attachment 1.

Two statements expressing concern with the cost-to-benefit ratio of the Pacheco Reservoir Expansion Project were received from Mr. LeBrun, and Mr. Andrew Gere, San Jose Water Company.

Mr. LeBrun additionally suggested the Board outreach to potential Public Private Partnership (P3) agencies, allowing more P3 engagement in the project scope, benefits, and cost commitments; and Mr. Gere encouraged the Board to consider investment in direct and indirect potable reuse or Los Vaqueros Reservoir instead.

Director LeZotte requested that staff come back with date and acre feet of water loss information related to the inability to store water during wet years, for the past 20 years (Board Member Request No. 21-0003).

The Board discussed the Policy Decisions contained in Attachment 1, Slide 16, and provided feedback to staff as follows:

In regard to Bullet 1, reading Does it make sense to continue to include the Pacheco Reservoir Expansion Project in the Water Supply Master Plan?, all Board members stated Yes. Director LeZotte additionally requested that staff come back with information on what level of partnership the project would require to provide a more advantageous cost-to-benefit ratio than would be provided by increasing participation in the Los Vaqueros Reservoir Expansion Project, at an equal investment level.

In regard to Bullet 2, reading Are there predetermined triggers that require that the project be re-validated by the Board of Directors (time, partnership participation, cost, schedule, etc.)?, all Board members stated Yes to all issues listed in parentheses by staff. The Board additionally emphasized cost and partnership participation as significant factors for re-validation; and Director Keegan requested that permitting challenges be included as a factor for re-validation as well.

In regard to Bullet 3, reading What level of Partnership participation should be assumed for financial planning purposes?, Directors Hsueh, Keegan, and

LeZotte responded Conservative; Directors Santos and Varela requested there be continued discussion with the community; and Director Kremen and Chairperson Estremera stated 35 percent. Directors Hsueh and Keegan additionally requested that staff come back with various partnership level scenarios and their associated impacts to water rates; and Director Kremen requested that staff leverage Valley Water's legislative priorities to obtain Proposition 1 funding, Federal Appropriations, and State and Federal grants for the project, including those that would become available by inclusion of a recreational component.

The Board requested that staff come back monthly with regular updates on partnership participation and other funding alternatives for the Pacheco Reservoir Expansion Project.

Chairperson Estremera announced that the Board would adjourn to Closed Session for consideration of Item 2.2.

Upon conclusion of Closed Session, Directors Keegan, Kremen, and LeZotte concluded their participation by teleconference and did not rejoin.

Upon return to Open Session the same Board members, excluding Directors Keegan, Kremen, and LeZotte, and staff were present.

- 2.2 CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL
CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8:
Setting Negotiation Parameters for Price and Terms of Payment for Acquiring Property Interest in APN 728-34-020, 729-36-001, 725-06-008, 678-02-031 and 678-02-034
Negotiators: Rick Callender, Melanie Richardson, Sue Tippetts, Christopher Hakes, Eli Serrano, and Bill Magleby
Other Negotiating Parties: County of Santa Clara

3. ADJOURN:

- 3.1 District Counsel Report on Closed Session.

Mr. Joseph Aranda, Assistant District Counsel, reported that the Board met in Closed Session with all members present and in regard to Item 2.2, gave direction to staff.

- 3.2 Clerk Review and Clarification of Board Requests.

The new Board Member Requests were not read into the record.

- 3.3 Adjourn to Special Meeting at 7:00 p.m., on April 15, 2021, 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 Estremera adjourned the meeting at 3:15 p.m., to the Special Meeting at 7:00 p.m., on April 15, 2021, 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: