



Santa Clara Valley Water District

File No.: 20-0348

Agenda Date: 3/18/2020

Item No.: *2.8.

BOARD AGENDA MEMORANDUM

SUBJECT:

Discuss Parameters for Conducting Brown Acted Public Board and Committee Meetings in Consideration of Section 11 of Governor Newsom's Executive Order N-25-20, Relevant to the Brown Act and Social Distancing.

RECOMMENDATION:

- A. Discuss parameters for conducting Brown Acted Public Board and Committee Meetings in consideration of Section 11 of Governor Newsom's Executive Order N-25-20, relevant to the Brown Act; and
- B. Provide direction to staff.

SUMMARY:

On March 12, 2020, Governor Newsom issued Executive Order N-25-20 (Attachment 1) further enhancing State and Local Government's ability to respond to COVID-19 Pandemic.

Section 11 of the Governor's Executive Order authorizes local legislative bodies to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the legislative body during the period in which state and local public officials impose or recommend measures to **promote social distancing**.

The new requirements that must be met are:

1. Each legislative body must give advance notice of each public meetings, according to the timeframe otherwise prescribed by the Brown Act, and using the means otherwise prescribed by the Brown Act. Staff would continue our 10-day and 3-day posting process; and
2. Consistent with the notice requirements in listed in the paragraph above, each legislative body must notice at least one publicly accessible location from which members of the public shall have the right to observe and offer public comment at the public meeting, consistent with the public's right of access and public comment otherwise provided for by the Brown Act. Keeping the Boardroom open for the public to attend meetings would meet this requirement.

DIRECTION REQUESTED

Staff is requesting direction on the methods the Board wishes to use to conduct Board and Brown Acted Committee meetings -

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1. Keep current method - Allow public to participate in-person in the Boardroom.
 2. Allow telephonic participation - Create a teleconference phone line to allow the public to provide voice comments only.
 3. Allow electronic participation - Create video or web conferencing that enables the public to engage remotely via video.
 4. Consider cancelling nonessential Board and/or Committee meetings for the remainder of March.
 5. Any other direction the Board deems necessary.

FINANCIAL IMPACT:

Office of the Clerk of the Board has funds in the Fiscal Year 2020 Budget to support Board and Committee meetings.

CEQA:

The recommended action does not constitute a project under CEQA because it does not have the potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

ATTACHMENTS:

Attachment 1: Governor Newsom's Executive Order N-25-20

UNCLASSIFIED MANAGER:

Michele King, 408-630-2711