



Santa Clara Valley Water District Board of Directors Meeting

Headquarters Building Boardroom
5700 Almaden Expressway
San Jose, CA 95118

SPECIAL BOARD MEETING ON CALIFORNIA WATERFIX AGENDA

Tuesday, May 8, 2018
9:30 AM

District Mission: Provide Silicon Valley safe, clean water for a healthy life, environment and economy.

DISTRICT BOARD OF DIRECTORS

Richard P Santos, Chair, District 3
Linda J LeZotte, Vice Chair, District 4
John L Varela, District 1
Barbara Keegan, District 2
Nai Hsueh, District 5
Tony Estremera, District 6
Gary Kremen - District 7

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the Clerk of the Board at the Santa Clara Valley Water District Headquarters Building, 5700 Almaden Expressway, San Jose, CA 95118, at the same time that the public records are distributed or made available to the legislative body. Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to attend Board of Directors' meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

NORMA CAMACHO
Chief Executive Officer

MICHELE L KING, CMC
Clerk of the Board
(408) 265-2600
Fax (408) 266-0271
www.valleywater.org

Note: The finalized Board Agenda, exception items and supplemental items will be posted prior to the meeting in accordance with the Brown

**Santa Clara Valley Water District
Board of Directors
SPECIAL BOARD MEETING ON CALIFORNIA WATERFIX
AGENDA**

Tuesday, May 8, 2018

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Headquarters Building Boardroom

1. CALL TO ORDER:

1.1. Roll Call.

1.2. Pledge of Allegiance/National Anthem.

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

Notice to the public: This item is reserved for persons desiring to address the Board on any matter not on this agenda. Members of the public who wish to address the Board on any item not listed on the agenda should complete a Speaker Card and present it to the Clerk of the Board. The Board Chair will call individuals to the podium in turn. Speakers comments should be limited to three minutes or as set by the Chair. The law does not permit Board action on, or extended discussion of, any item not on the agenda except under special circumstances. If Board action is requested, the matter may be placed on a future agenda. All comments that require a response will be referred to staff for a reply in writing. The Board may take action on any item of business appearing on the posted agenda.

2. TIME CERTAIN:

- 2.1. Update on the California WaterFix, Authorization to Execute Agreements, [18-0384](#)
Designation of District Representative, and Adoption of CEQA Findings.
(Continued from May 2, 2018)

- Recommendation:
- A. Receive an update on the California WaterFix (WaterFix);
 - B. Consider the potential environmental effects of the project as discussed in the Lead Agency's Final Environmental Impact Report and adopt the Resolution, MAKING RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT TO AUTHORIZE EXECUTION OF AGREEMENTS RELATING TO DESIGN, CONSTRUCTION, AND FINANCING OF THE CALIFORNIA WATERFIX PROJECT;
 - C. Consider the potential costs and benefits of the WaterFix to Santa Clara County and adopt the Resolution, AUTHORIZING SUPPORT OF, AND PARTICIPATION IN, CALIFORNIA WATERFIX;
 - D. *Approve the Capacity Interest Option Agreement with Metropolitan Water District of Southern California (Option Agreement) and direct the Chief Executive Officer (CEO) to negotiate the terms and conditions of the Capacity Interest Purchase Agreement (Purchase Agreement), and bring the agreements back to the Board for approval of the Purchase Agreement and execution of the Option Agreement;
 - E. Approve and authorize the Board to execute a Joint Powers Agreement Forming the Delta Conveyance Design and Construction Joint Powers Authority (Design and Construction JPA) that is in substantial conformance to the agreement provided in Attachment 2, and designate a District representative and alternate to serve on the Board of Directors of the Design and Construction JPA for the first two years following formation;
 - F. Direct the CEO to negotiate terms and conditions for the District to participate in the WaterFix Financial Arrangements (See section 4.3), including a joint powers authority for financing construction of the WaterFix and bring the necessary agreements to the Board for approval;
 - G. Delegate authority to the CEO to negotiate terms and conditions and execute an agreement between the Department of Water Resources and the District for preconstruction capital costs for the WaterFix for a District contribution of up to \$3.5 Million (Gap Funding Agreement);
 - H. Direct staff to continue participating in WaterFix discussions to further develop agreements and contract amendments to protect the District's investment; and
 - I. Direct staff to evaluate and negotiate long term water

transfers, water supply alternatives and storage opportunities related to WaterFix, and bring terms and conditions to Board for consideration.

- J. *Direct staff to conduct a water affordability analysis for future Board discussion.

Manager: Garth Hall, 408-630-2750

Attachments: [*Original Board Agenda Memo \(050218\)](#)
[*Attachment 1: Draft Option Agreement](#)
[Attachment 2: Draft DCA Agreement](#)
[Attachment 3: SCVWD Resolution 17-68](#)
[Attachment 4: 091217 Board Agenda Item](#)
[Attachment 5: 101717 Board Agenda Item](#)
[Attachment 6: Guiding Principles Evaluation](#)
[Attachment 7: Resolution, WaterFix Partipation](#)
[Attachment 8: Resolution, CEQA](#)
[Attachment 9: PowerPoint](#)
[*Supplemental Board Agenda Memo](#)
[*Supplemental Attachment 1: Revised Resolution, CEQA](#)
[*Handout 2.1-A Supporting Comments](#)
[*Handout 2.1-B Opposing Comments](#)
[*Supplemental Board Agenda Memo \(050818\)](#)
[*Supplemental Attachment 1 \(050818\)](#)
[Handout 2.1-C, Supporting Comments \(050118-050218\)](#)
[Handout 2.1-D, Opposing Comments \(050118-050218\)](#)
[Handout 2.1-E, Opposing Comments \(050318-050418\)](#)
[Handout 2.1-F Memo from Directors Estremera, Keegan, & Kreme](#)

3. **ADJOURN:**

- 3.1. Clerk Review and Clarification of Board Requests.
- 3.2. Adjourn to Regular Meeting at 12:00 p.m., on May 8, 2018, in the Santa Clara Valley Water District Headquarters Building Boardroom, 5700 Almaden Expressway, San Jose, California.