

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

RESOLUTION NO. 22-

**AUTHORIZING THE TRANSFER OF FUNDS FROM SPECIAL PURPOSE FUNDS
AND MAKING CERTAIN DETERMINATIONS IN CONNECTION THEREWITH**

WHEREAS, the Santa Clara Valley Water District (Valley Water), is a flood control and water district duly organized and existing under and pursuant to the Constitution and laws of the State of California; and

WHEREAS, Valley Water has previously established a Supplemental Water Supply Reserve, a Drought Reserve, a Silicon Valley Advanced Water Purification Center Reserve, a San Felipe Emergency Reserve, and a P3 Reserve and such reserves have each been designated as a Special Purpose Fund (each a "Special Purpose Fund" and together the "Special Purpose Funds") under Resolution No. 16-10 adopted by the Board of Directors of Valley Water (as such resolution has been amended to date, the "Water Utility Parity System Master Resolution"); and

WHEREAS, pursuant to the Water Utility Parity System Master Resolution, Valley Water may transfer funds from the Special Purpose Funds to the Water Utility System Revenue Fund (as established by and defined in the Water Utility Parity System Master Resolution) upon certain determinations made by the Board of Directors; and

WHEREAS, the Board of Directors desires to make the determinations herein and to authorize the transfer of funds from one or more of the Special Purpose Funds to the Water Utility System Revenue Fund in the maximum amounts set forth herein.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of the Santa Clara Valley Water District does hereby find, determine, declare, and resolve as follows:

Section 1. Determinations for Transfers. This Board hereby determines that: (a) (i) non-routine expenditures are reasonably expected to be incurred in fiscal year 2022-23 in that, as a result of drought conditions and reduced imported water allocations to Valley Water, it is necessary for Valley Water to purchase additional emergency water supplies, and (ii) reduced Current Water Utility System Revenues (as defined in the Water Utility Parity System Master Resolution) have resulted from such drought conditions and reduced imported water allocations; and (b) application of amounts on deposit in one or more of the Special Purpose Funds to the costs of such supplemental water purchases is financially prudent and necessary.

Section 2. Transfers of Amounts From Special Purpose Funds. Based on the determinations set forth in Section 1 above, the Board of Directors hereby authorizes transfers from one or more of the Special Purpose Funds to the Water Utility System Revenue Fund in an aggregate amount not to exceed \$23,000,000. The Chief Executive Officer and the Chief Financial Officer (together, the "Authorized Officers") are each hereby authorized to take such actions as necessary to effectuate the foregoing transfers to pay costs described in Section 1 above incurred during fiscal year 2022-23.

Section 3. Other Actions. The Authorized Officers and such other officers and staff of the Valley Water are authorized and directed, acting singly, to do any and all things and to execute and deliver any and all documents which such officers may deem necessary or advisable in

order to effectuate the purposes of this Resolution, and such actions in connection therewith previously taken by such officers and staff are hereby ratified and confirmed.

Section 4. Effect. This Resolution shall take effect immediately.

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Water District by the following vote on May 10, 2022:

AYES: Directors

NOES: Directors

ABSENT: Directors

ABSTAIN: Directors

SANTA CLARA VALLEY WATER DISTRICT

JOHN L. VARELA
Chair Pro Tem, Board of Directors

ATTEST: MICHELE L. KING, CMC

Clerk, Board of Directors

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a full, true and correct copy of the original thereof on file in my office.

Dated:

SANTA CLARA VALLEY WATER DISTRICT

By: _____
MICHELE L. KING, CMC
Clerk, Board of Directors

(Seal)

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