



Santa Clara Valley Water District SCW Independent Monitoring Committee Meeting

**HQ Boardroom
5700 Almaden Expy
San Jose CA 95118**

REGULAR MEETING AGENDA

**Wednesday, February 12, 2020
4:00 PM**

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

**SAFE, CLEAN WATER
INDEPENDENT MONITORING
COMMITTEE**

COMMITTEE OFFICERS:
Kit Gordon, Committee Chair
Bill Hoeft, Committee Vice Chair

All public records relating to an 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 IMC meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

Glenna Brambill,
Committee Liaison
gbrambill@valleywater.org

BOARD REPRESENTATIVES:
Nai Hsueh, Board Representative
Tony Estremera, Board Alternate

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

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SCW Independent Monitoring Committee
REGULAR MEETING
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1. CALL TO ORDER:

1.1. Roll Call.

2. 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 Committee on any matter not on this agenda. Members of the public who wish to address the Committee on any item not listed on the agenda should complete a Speaker Form and present it to the Committee Clerk. The Committee Chair will call individuals in turn. Speakers comments should be limited to two minutes or as set by the Chair. The law does not permit Committee action on, or extended discussion of, any item not on the agenda except under special circumstances. If Committee 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 Committee may take action on any item of business appearing on the posted agenda.

3. APPROVAL OF MINUTES:

3.1. Approval of Minutes

[20-0184](#)

Recommendation: Approve the 12042019 and 01222020 SCW IMC Meeting Minutes

SUMMARY:

A summary of Committee discussions, and details of all actions taken by the Committee, during all open and public Committee meetings, is transcribed and submitted for review and approval.

Upon Committee approval, minutes transcripts are finalized and entered into the District's historical records archives and serve as historical records of the Committee's meetings.

ATTACHMENTS:

Attachments: [Attachment 1: 120419 SCW IMC DRAFT Mins](#)
[Attachment 2: 01222020 SCW IMC DRAFT Mins](#)

Est. Staff Time: 5 Minutes

4. Vignettes of Safe, Clean Water Projects (Video)

5. Opportunities to Enhance and Update the Safe, Clean Water and Natural Flood Protection Program by Evaluating a Future Funding Measure. **20-0185**

RECOMMENDATION:

- A. Receive information on exploration of opportunities to strengthen and update the existing Safe, Clean Water and Natural Flood Protection (Safe, Clean Water) Program;
- B. Receive information on the feasibility of developing and placing a future funding measure on the November 2020 ballot; and
- C. Provide input on potential new program development.

SUMMARY:

Staff wishes to share information and receive input from the Safe, Clean Water Independent Monitoring Committee (IMC) and keep them apprised of planning for a potential future funding measure. The IMC provides a unique and valuable perspective as oversight for the current Safe, Clean Water Program. Staff views this as one of many opportunities to engage stakeholders in this process that is critical to the future of Santa Clara Valley Water's (Valley Water) projects and programs, and to ultimately provide feedback to the Board of Directors on if a future measure should be pursued on the November 2020 ballot.

With the upcoming November 2020 elections, staff is exploring the opportunity to place a ballot measure to potentially extend the funding horizon of the existing special parcel tax for the Safe, Clean Water Program beyond its current expiration in 2028 in an effort to extend existing funding levels and address additional funding needs. Additionally, this new program could potentially include more multi-benefit projects and strategies to address Board priorities, such as infrastructure reliability and climate change adaption.

At the December 10 Board meeting, the Board of Directors provided direction to staff to begin an exploratory process to examine the feasibility of such a funding measure and to bring back information as it relates to what a new potential program could look like. Staff is now seeking input from stakeholders, including Board advisory committees.

Current Safe, Clean Water Program

Overwhelmingly approved by voters, the Safe, Clean Program is a 15-year strategy to ensure uninterrupted water resources services in Santa Clara County. The program was developed through community collaboration and input from residents and stakeholders that identified five top community priorities:

Priority A: Ensure a Safe, Reliable Water Supply

Priority B: Reduce Toxins, Hazards, and Contaminants in our Waterways

Priority C: Protect our Water Supply from Earthquakes and Natural Disasters

Priority D: Restore Wildlife Habitat and Provide Open Space

Priority E: Provide Flood Protection to Homes, Business, Schools and Highways

In November 2012, Santa Clara County voters passed the Safe, Clean Water ballot measure by nearly 74%, extending the funding at the same parcel tax rate approved under the previous Clean, Safe Creeks and Natural Flood Protection Plan (Clean, Safe Creeks Plan).

Currently, the Safe, Clean Water Program special parcel tax includes five (5) types of parcels that cover categories for commercial/industrial, institutional purposes such as churches, schools or multiple dwellings exceeding four units, single-family residential and multi-family units up to four, agricultural, and nonutilized urban and rural areas. A sixth category, parcels used exclusively as well sites for residential use, is exempt from the special parcel tax. An annual escalator is also included to account for the effects of inflation. Valley Water Board of Directors may adjust the special tax amounts annually by the change in the San Francisco-Oakland-San Jose Consumer Price Index for all Urban Consumers (CPI-U), or 3%, whichever is greater.

The current FY20 annual tax rate for the average single-family residence stands at \$67.67. In FY21, the Board may consider increasing the tax to \$69.70 based on the consumer price index increase in costs for performing the functions of the program.

Current Program Needs and Opportunities

In the face of new challenges due to climate change, population/economic growth and future uncertainties with imported water supplies, it is imperative for Valley Water to plan, adapt, build and upgrade its water resources systems by investing in existing and new programs that will help meet the future challenges. Currently, there is an opportunity to put a ballot measure in front of voters to extend the Safe, Clean Water Program, which sunsets on June 30, 2028, and funds approximately one-third of the existing watershed and stewardship budgeted programs.

The existing Safe, Clean Water Program has priorities that could be enhanced to address several existing and new challenges, including the opportunity to develop more

multi-benefit projects that provide enhanced environmental benefits, and provide the needed funding for several large infrastructure and flood protection projects.

Furthermore, with increased homeless encampments along our creeks and waterways, water quality will remain a top priority. A new program will enable Valley Water to adequately address such existing challenges that have significant impacts to our water quality, as well as new and emerging threats. Valley Water must remain well-equipped to address all water quality issues to continue providing safe, clean water to our entire community.

In addition, a new program would allow Valley Water to adapt better and meet the growing challenges that stem from climate change and extreme weather patterns, such as severe drought, flooding and wildfires. Climate change adaptation needs to be integrated across projects to include upgrading aging infrastructure; expanding water storage; securing locally controlled, reliable and sustainable water supplies; increasing and expanding flood protection for homes, businesses, and schools, as well as addressing sea-level rise. Each of these priorities will require significant mitigation, along with ongoing infrastructure maintenance and vegetation and sediment removal. This work is more critical than ever as we face increased flooding and wildfire threats.

Some of the key projects that have been identified as prime candidates for additional enhancements or funding under the new program are:

- *Anderson Dam Seismic Retrofit*
- *Pacheco Reservoir Expansion*
- *Almaden Valley Pipeline Replacement Project*
- *Coyote Creek Flood Protection Project*
- *Upper Penitencia Creek Flood Protection Project*
- *San Francisquito Creek Flood Protection Project*
- *Upper Llagas Creek Flood Protection Project*
- *Upper Guadalupe Flood Protection Project*
- *San Francisco Bay Shoreline Flood Protection*
- *Stevens Creek Fish Passage Barrier Removal*
- *Creek Cleanups and Homeless Encampments*

Project Priorities and Initial Gap Assessment

Staff began the process for preliminary identification of needs and opportunities in November 2019. The identified needs and opportunities represent a range of candidate projects and programs that could be undertaken. The development of needs and opportunities is in effect the “gap” analysis to identify those

areas where the current Safe, Clean Water Program would benefit from additional funding for existing projects over the next planning horizon, along with potential new projects that would benefit the community. The identified opportunities are included below and will be further refined. Staff is seeking input from the advisory committees on such priorities that they would like staff to investigate and consider.

Priority A: Ensure a Safe, Reliable Water Supply

- Safe Clean Water Partnerships and Grants - Continue and Enhance
- Pipeline Reliability Project - Continue and Enhance

Priority A Newly Identified Opportunities

Staff is exploring the feasibility of adding the following new concepts:

- Pacheco Reservoir Expansion
- Water Conservation Rebate Program

Priority B: Reduce Toxins, Hazards, and Contaminates in our Waterways

- Impaired Water Bodies Improvement - Continue
- Interagency Urban Runoff Program - Continue
- Pollution Prevention Partnerships and Grants - Continue and Enhance
- Good Neighbor Program: Encampment Cleanup - Continue and Enhance
- Hazardous Materials Management and Response - Continue
- Good Neighbor Program: Remove Graffiti and Litter - Continue
- Support Volunteer Cleanup Efforts and Education - Continue and Enhance

Priority B Newly Identified Opportunities

Staff is exploring the feasibility of adding, replacing, enhancing or expanding the following new concept:

- Good Neighbor Public Arts Program

Priority C: Protect our Water Supply from Earthquakes and Natural Disasters

- Anderson Dam Seismic Retrofit - Continue and Enhance
- Emergency Response Upgrades - Continue and Enhance

Priority C Newly Identified Opportunities

Staff is exploring the feasibility of adding, replacing, enhancing or expanding the following new concepts:

- Dam Safety Program Seismic Retrofit Projects
- Almaden Valley Pipeline Replacement Project

Priority D: Restore Wildlife Habitat and Provide Open Space

- Management of Riparian Vegetation Projects - Continue and Enhance
- Revitalize Stream, Upland and Wetland Habitat - Continue and Enhance
- Grants and Partnerships to Restore Wildlife Habitat and Provide Access to Trails - Continue and Enhance
- Fish Habitat and Passage Improvements
 - Almaden Creek-Lake Separation - Continue and Enhance
 - Fish Passage Improvements - Continue and Enhance
 - Install Large/Woody Debris and Gravel Augmentation - Continue and Enhance
- Ecological Data Collection and Analysis - Continue and Enhance
- Creek Restoration and Stabilization
 - Hale Creek - Continue and Enhance
- Partnerships for the Conservation of Habitat Lands - Continue and Enhance
- South Bay Salt Ponds Restoration Partnership - Continue

Priority D Newly Identified Opportunities

Staff is exploring the feasibility of adding, replacing, enhancing or expanding the following new concepts:

- Coyote Valley Partnership
- Lands Management - Land acquisition for strategic floodplain management, access for operations, mitigation efforts, and habitat connectivity.
- Calabazas - San Tomas Aquino Creeks Realignment Project
- Coyote Creek Riparian and Aquatic Enhancements

**Priority E: Provide Flood Protection to Homes,
Business, Schools and Highways**

- Vegetation Control and Sediment Removal for Flood Protection - Continue and Enhance
- Emergency Response Planning - Continue and Enhance
- Flood Risk Reduction Studies - Continue and Enhance
- Upper Penitencia Creek Flood Project - Additional funding
- San Francisquito Creek Flood Protection - Additional funding
- Upper Llagas Creek Flood Protection - Additional funding
- San Francisco Bay Shoreline Protection - Additional funding
- Upper Guadalupe River Flood Protection - Additional funding

Continued Clean, Safe Creeks Projects

- Sunnyvale East and West Channels Flood Protection - Continue
- Coyote Creek Flood Protection - Additional funding

Priority E Newly Identified Opportunities

Staff is exploring the feasibility of adding, replacing, enhancing or expanding the following new concepts:

- Ross Creek Flood Protection
- Upper Berryessa Creek (680 to Old Piedmont)
- 5-year O&M Plan identified activities
- Thompson Creek Sediment and Erosion Management
- Watersheds Asset Reliability Program - prioritize/improve reaches in need of rehabilitation

NEXT STEPS

Program Development

Under the Board's direction, staff is exploring the feasibility of this effort, including how to enhance and update the program that is inclusive of the community's desire and values. As part of this effort, an agencywide internal Steering Committee with functional task groups has been assembled and key program staff have been identified to assist with internal project teams to start developing an updated community plan to refine priorities. These priorities, along with financial analysis models to further refine program funding estimates, will be further developed between mid-December 2019 and May 2020.

Community and Stakeholder Outreach

To achieve public consent on any future program, which may go to the voters, staff will lead a broad public participation effort. This effort will allow for the public to provide input on their interests and values for the new program, including recommended project outcomes. This input will aid staff in developing a draft community-preferred program.

Staff will fine tune the priorities and projects through a series of broad outreach efforts, such as Board advisory committees and a blue-ribbon stakeholder roundtable (anticipated to be held late March or early April 2020.)

Additionally, staff will develop other outreach tools and strategies to solicit programmatic input for the Board's consideration. Later this summer, based on information gathered from the community and stakeholders, staff will prepare a draft report for the Board on the community-preferred program for the Board's ultimate consideration for the November 2020 ballot.

ATTACHMENTS:

Attachments: Attachment 1: Renewal Presentation
Est. Staff Time: 15 Minutes

6. REPORT DRAFTING COMMITTEE PRESENTS DRAFT FINAL IMC REPORT

a. Review and Approve Final IMC Report

7. NEXT STEPS

a. February 25, 2020, IMC Chair presents Final IMC Report to Board

8. CLERK REVIEW AND CLARIFICATION OF COMMITTEE REQUESTS.

This is an opportunity for the Clerk to review and obtain clarification on any formally moved, seconded, and approved requests and recommendations made by the Committee during the meeting.

9. ADJOURN:

9.1. Adjourn.