



Santa Clara Valley Water District

File No.: 20-0579

Agenda Date: 7/14/2020

Item No.: *2.7.

SUPPLEMENTAL BOARD AGENDA MEMORANDUM

SUBJECT:

Approval of Updated and Enhanced Safe, Clean Water and Natural Flood Protection Program for a Future Funding Measure (Continued from June 23, 2020).

REASON FOR SUPPLEMENTAL MEMORANDUM:

This report conveys additional information received after the initial report was released, consistent with Executive Limitations Policy EL-7-10-5.

RECOMMENDATION:

- A. Receive additional information and clarification on questions from June 23, 2020 Board meeting, including program financing, structure, and implementation;
- B. Provide direction to staff on any final programmatic changes;
- C. Adopt the Resolution, PROVIDING FOR THE CONTINUATION AND LEVY OF A SPECIAL TAX TO PAY THE COST OF THE SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM IN THE COMBINED FLOOD CONTROL ZONES OF THE SANTA CLARA VALLEY WATER DISTRICT, SUBJECT, NEVERTHELESS, TO SPECIFIED LIMITS AND CONDITIONS; and
- D. Adopt the Resolution, CALLING A SPECIAL ELECTION TO BE HELD IN THE SANTA CLARA VALLEY WATER DISTRICT ON NOVEMBER 3, 2020, REQUESTING SERVICES OF REGISTRAR OF VOTERS, REQUESTING CONSOLIDATION OF ELECTION, AND SPECIFYING CERTAIN PROCEDURES FOR THE CONSOLIDATED ELECTION.

SUMMARY:

In addition to the information provided in the original board agenda item, this supplemental includes new additional information, including the final draft community-preferred program report (Attachment 1) after receiving input during the June 23 board meeting and further stakeholder input.

In terms of substantive content changes to the final draft program report, a few revisions were made for either clarity or enhance certain project areas. Below is a summary of the key content changes since June 23.

Final Draft Program Report Changes

Priority D:

- **D5 Ecological Data Collection and Analysis** - added KPI and additional funding for development and updates of five watershed plans that include identifying priority habitat enhancement opportunities in Santa Clara County.

Priority F:

- **F5 Good Neighbor Program: Encampment Cleanups** - consolidated KPIs for homeless encampment cleanups.
- **F9 Grants and Partnerships for Safe, Clean Water, Flood Protection and Environmental Stewardship** - combined and streamlined KPIs under F9 to allow for expanded funding availability on an annual basis for every single grant and partnership type going forward, increasing the overall number of grants each year. In addition, new partnership funding for small cities under 50,000 people was added, along with a corresponding KPI.

The corresponding resolution for the continuation of the program is also included (Attachment 2) and a resolution to call a special election (Attachment 3). Changes to the resolution for the continuation of the program (Attachment 2) were made based upon further input since June 23. Below is a summary of the main substantive changes to the program's resolution.

Changes to program resolution to continue special parcel tax

- Includes a process for public engagement and community input required before the end of every 15-year financial planning cycle to ensure that the program remains aligned with the community's priorities and is reflected in the next 15-year suite of projects and financial planning cycle.
- Includes language to allow the board to make an evaluation and determination after the first 15 years (and every 15 years thereafter) on whether the special parcel should be reduced or repealed, or is needed to build additional Projects to achieve related programmatic benefits in accordance with the priorities of the Safe Clean Water and Natural Flood Protection Program.
- Includes an expanded role of the Independent Monitoring Committee (IMC) to provide forward-looking recommendations during the 5-year implementation plans checkpoints for the board's consideration, as well as every 15 years, the IMC will review, and recommend to the board and general public, whether the special tax should be reduced or repealed, or is needed to build additional Projects to achieve related programmatic benefits in accordance with the priorities of the Safe Clean Water and Natural Flood Protection Program.

Since June 23, additional key data was recently received, which includes results from the most recent public opinion survey conducted by EMC Research conducted between June 28 through July 2, 2020, among likely November 2020 voters in Santa Clara County. The survey was offered in English, Chinese, Spanish, and Vietnamese. The survey tracks the proposed ballot language as presented in June during the last board meeting. Despite the ongoing and ever-evolving public health crisis, the attached memo (Attachment 4) includes results that continue to show a consistent two-thirds support level (69 percent) from voters of the proposed renewal measure ballot language. This

is consistent with those who received the survey by phone and those who read the proposed ballot language.

Further, since the June 23 board meeting, approximately 2,050 new community input surveys have been gathered, and an updated community input survey report (Attachment 5) is included. In addition, Valley Water held a telephone town hall on July 1 with residents throughout all of Santa Clara County to inform them about the proposed program renewal as well as answer public questions. The telephone town hall reached an additional 2,800 local residents, pushing total outreach efforts to approximately 20,800 touches total since the start of this public engagement process, which surpasses all past outreach efforts for previous renewal efforts under the 2000 Clean, Safe, Creeks Plan and the existing 2012 Safe, Clean Water Program. In addition, this supplemental includes an outreach list of all external community and stakeholder organizations where outreach was conducted (Attachment 6).

In terms of addressing further questions and concerns that were brought forward by the board and public during the June 23 board meeting, staff has prepared a comprehensive PowerPoint Presentation (Attachment 7) that provides additional clarifications on the proposed program renewal changes from the existing program, financing structure, and program implementation, planning schedules, accountability and transparency measures, as well as the most recent revisions to the program report and resolutions as summarized within this memo.

Next Steps

Staff seeks the board's final direction on the proposed program renewal and approval and adoption of the resolution to call for a special election to place the ballot measure on the November 2020 and resolution for the renewal and continuation to levy a special parcel tax. If approved by the board, staff will file and submit necessary resolutions with the county by the deadline.

FINANCIAL IMPACT:

There is no change to the originally reported financial impact associated with this item.

CEQA:

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

ATTACHMENTS:

- Attachment 1: Final Draft Program Report
- Attachment 2: Resolution, Program Renewal
- Attachment 3: Resolution, Special Election
- Attachment 4: Public Opinion Survey Memo
- Attachment 5: Final Community Survey Data Report
- Attachment 6: Community Stakeholder Outreach List
- Attachment 7: PowerPoint

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UNCLASSIFIED MANAGER:
Marta Lugo, 408-630-2237