

FC 14 (01-02-07)

FROM: Recycled Water Committee

DATE: February 23, 2021

2.1 District Counsel Report on Closed Session.

4.1 Approval of Minutes.

5.1 Election of 2021 Recycled Water Committee Chairperson and Vice Chairperson.

5.2 Update on Implementation of Purified Water Program Using Public-Private Partnership (P3) Approach.

Ms. Kerrie Romanow, Chief Sustainability Officer and Director of Environmental Services of the City of San Jose , expressed the City's commitment to facilitate the integration of a new facility with the existing facility at the Regional Wastewater facility in a timely manner. In support of

that commitment, Ms. Romanow announced that the City agreed to provide a draft list of key terms to Valley Water next week in an effort to accelerate a water agreement.

In response to Vice Chair Keegan's inquiry about efforts made to increase awareness among City Council on the details of this ongoing coordination between the City and Valley Water, Ms. Romanow informed the Committee that three water retailers provided information to the Council on supply and conservation efforts, and that recycled water is part of the Climate Smart San Jose Plan. She indicated that an agenda item was forthcoming at the next joint Valley Water/City meeting, to allow their City Council to hear first-hand from experts the details of coordination that had been shared at today's meeting

Mr. Ricardo Barajas, Program Administrator, informed the Committee about ongoing outreach plans for a virtual public scoping meeting in March 2021, and a virtual focus groups in February 2021 to help tailor a message for community outreach by identifying specific areas of concern to potable water reuse among the opposition demographics revealed from a past survey of parents with young children, and the Latin X and Asian communities. He also informed the Committee that the collection of testimonials and letters of support continue with the ongoing Purification Center/Water Infrastructure Tours. In 2020, a total of 1,103 individuals participated in Valley Water's virtual tour series.

The Committee requested an updated copy of a comprehensive outreach plan that includes possibility of including Non-Governmental Organizations (NGO's) such as Sustainable Silicon Valley or Sierra Club and their patrons, with coordination with the City of San Jose, to get the message out about recycled water. Chair Estremera has requested to put this item on the agenda at a Recycled Water Committee meeting in the near future.

Mr. Jensen Clarke, Fongate Infrastructure Director, introduced himself as a Private Public Partnership developer, and inquired about the date of Industry Day. Ms. Struve confirmed that Valley Water's Industry Day would be held within the first quarter of the calendar year.

5.3 Potential Joint Recycled Water Advisory Committee Meeting with Cities of East Palo Alto, Mountain View, and Palo Alto.

Mr. Hossein Ashktorab, Recycled & Purified Water Manager, informed the Committee about a potential date of the next Joint Recycled Water Advisory Committee Meeting with the Cities of Palo Alto, Mountain View and East Palo Alto in mid-February, when the Cities have selected their committee members for CY 2021, and informed the Committee about the planned agenda items: Valley Water's update on the Countywide Reuse Master Plan completion and Technical Memorandums on the first potable reuse project; City of Palo Alto design concept of the Palo Alto Salt Removal Facility; Valley Water's update on the Northwest County Recycled Water Strategy Plan on alternate use of groundwater from dewatering systems and redirecting flows to regional wastewater facility in Palo Alto; and Valley Water's update on Regional Advanced Water Purified Facility, including the future potential construction of an Advanced Water Purification Facility at Palo Alto.

The Committee noted the information without formal action.

5.4 Review and Authorize the Chair to Present the 2020 Recycled Water Committee Accomplishments Report to the Board and Discuss the 2021 Recycled Water Committee Work Plan and Meeting Schedule.

The Committee acknowledged the 2020 Accomplishment Report, approved the proposed meeting schedule for 2021 recurring every fourth Wednesday of each month, reminded everyone of the commitment needed and expected by the community in moving forward with purified water, and acknowledged the contributions made by retiring Assistant Officer, Mr. Jerry DeLa Piedra.

A copy of the Committee's 2020 Accomplishments Report is submitted to the Board as an attachment to this memo.

The next regular Committee meeting will be held on March 24, 2021.

Board member comments and suggestions can be forwarded to Ms. Eva Sans, Assistant Deputy Clerk II, at (408) 630-2306, or by email to esans@valleywater.org

Tony Estremera

*Director, District 6
Recycled Water Committee Chairperson*

Attachment 1: 2020 RWC Accomplishment Report

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2020 Annual Accomplishments Report
Recycled Water Committee
Updated: 2/16/21

Accomplishment Report Item Numbers Correspond with Work Plan Task Numbers

ITEM	WORK PLAN ITEM BOARD POLICY STAFF	OBJECTIVE(S) (Action or Information Only)	ACCOMPLISHMENT(S)/OUTCOME(S)
1	Update on Purified Water Program including Partnership with Cities of San Jose and Palo Alto	<u>09/23/20 Objectives</u> Receive information and discuss next steps.	<u>09/23/20 Accomplishments</u> Staff reported the following: <ul style="list-style-type: none"> Valley Water has met several times with the Cities of San Jose and Santa Clara to negotiate an agreement to secure treated wastewater effluent from the San Jose/Santa Clara Regional Wastewater Facility (RWF), land for a future Advanced Water Purification Facility (AWPF), and a solution to reverse osmosis concentrate (ROC) management. On September 1, 2020 the City of San Jose Council approved a recommendation to "Direct the City Manager prioritize the pursuit of expanded recycled water use with Valley Water to increase local, drought-resilient supply and reduce reliance on imported water." Meetings have been held with Palo Alto staff to discuss next steps in implementing the December 2019 Agreement. This includes securing additional effluent from the smaller partner agencies such as the City of Los Altos. To this end, on August 25, 2020 the Council for the City of Los Altos approved an agreement committing their effluent. . Valley Water staff/consultants and Palo Alto staff are discussing specific steps to secure the land needed to build an AWPF in Palo Alto, and to address ROC management.

2020 Annual Accomplishments Report
Recycled Water Committee
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		<u>11/20/2020 Objectives</u> <ul style="list-style-type: none"> Receive an update on negotiations towards a long-term agreement between Valley Water and the cities of San Jose and Santa Clara to advance potable water reuse. Receive updates related to the construction of an AWPf in Palo Alto. 	<u>11/20/2020 Accomplishments</u> Staff reported the following: <ul style="list-style-type: none"> Valley Water continues to meet with staff from the Cities of San Jose and Santa Clara to discuss key items related to the development of a long-term agreement. On October 13, 2020, the City of Santa Clara City Council approved staff's participation in these negotiations. Valley Water and Palo Alto staff are meeting to discuss available land, such as the former Los Altos Treatment Plant site located in Palo Alto for an AWPf. Staff obtained access to the San Jose site to conduct preliminary environmental and geotechnical analyses and is working with Palo Alto on access for such analyses. This work will feed into the EIR as well as RFP for the Expedited Purified P3 project.
2	Countywide Water Reuse Master Plan	<u>01/21/20 Objectives</u> <ul style="list-style-type: none"> Receive information on the status and next steps; and Receive information on staff's responses to comments from the 11/14/18 RWC meeting. 	<u>01/21/20 Accomplishments</u> Received updated <i>conceptual</i> water reuse portfolios (1% Design) dated July 26, 2019 for input on Groundwater Augmentation, Surface Water Augmentation, Raw Water Augmentation, Treated Water Augmentation, including enhanced non-potable reuse via inter-ties.
		<u>08/06/20 Objectives</u> <ul style="list-style-type: none"> Receive information and next steps; Recommend that the Board authorizes the CEO to negotiate and execute an amendment consistent with Option II to the Agreement with Brown & Caldwell for the CWRMP Project (Agmt No. A4120A). 	<u>08/06/20 Accomplishments</u> Received first draft version of the Countywide Water Reuse Master Plan (dated July 1, 2020) and recommended the Board authorize the CEO to negotiate and execute an amendment with the consultant consistent with staff recommendations.

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Recycled Water Committee
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		11/20/2020 Receive information on the status, findings, and next steps for the CWRMP (or CoRe Plan)	11/20/20 Accomplishments Received second iteration of the Countywide Water Reuse Master Plan (CoRe Plan) dated October 14, 2020, including status, results, findings, and next steps. Received technical reports including: Project Definition Technical Memorandum (TM), Baseline Analysis TM, Conceptual Alternatives TM, Conceptual Alternatives Design, Feasible Project Portfolios TM, Draft Final Countywide Water Reuse Master Plan, Non-Potable Onsite Reuse Survey, Public Outreach and Engagement Survey, California Water Reuse Governance Survey, RO Concentrate Integration and South Bay Water Recycling Master Plan Updates.
3	Joint Mtg Prep/Debrief: Cities of San Jose, Santa Clara, TPAC	No CY 2020 discussion to date.	
4	Joint Mtg Prep/Debrief: Cities of Palo Alto/Mtn View	No CY 2020 discussion to date.	
5	Joint Mtg Prep/Debrief: City of Sunnyvale	No CY 2020 discussion to date.	
6	Update on SFPUC/BAWSCA Collaboration Efforts	No CY 2020 discussion to date.	
7	Conceptual Recycled Water Exchange with Contra Costa Water District and Central Contra Costa Sanitary District	No CY 2020 discussion to date.	
8	Update on Reverse Osmosis Concentrate Management	01/21/20 Objective Receive information and discuss next steps.	01/21/20 Accomplishments Received information on completion of (1) Evaluation of ROC Management Options Technical Memorandum (dated October 2019); (2) Stakeholder Workshop No. 3 (November 21, 2019); and (3) meeting with the Regional Water Quality Control Board (November 18, 2019). Staff presented key ROCM options being evaluated, including blending at various locations (existing, enhanced, and deep outfalls) and evaporation ponds (South County).

2020 Annual Accomplishments Report
Recycled Water Committee
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ITEM	WORK PLAN ITEM BOARD POLICY STAFF	OBJECTIVE(S) (Action or Information Only)	ACCOMPLISHMENT(S)/OUTCOME(S)
		<u>08/06/20 Objectives</u> Receive information on the ROCM plan.	<u>08/06/20 Accomplishments</u> Received information on completion of (1) workshop with countywide stakeholders, research partners and state regulators; (2) refinements to ROCM options; (3) additional studies recommended by state regulators; (4) updated costs for the different ROCM options; and (6) a draft Technical Memorandum No. 6: Evaluation of ROCM Options Final Report (under review as of 12/31/2020).
9	IRS Letter (Update on Private Activity Analysis)	No CY 2020 discussion to date.	
10	Policy Options Related to Centralized and Decentralized Reuse for the Committee's Consideration	No CY 2020 discussion to date.	
11	Regional Discussions on Options to Meet the Board's 10% Recycled Water Goal Using Either Desalination or Brackish Water	No CY 2020 discussion to date.	
12	Update on Bottling Purified Water at the SVAWPC	No CY 2020 discussion to date.	
13	Update on the Independent Advisory Panel Meeting	<u>09/23/20 Objectives</u> Receive information on the 6 th meeting of the Independent Advisory Panel (IAP) for evaluation of Santa Clara Valley Water District's Potable Reuse program and efforts	<u>09/23/20 Accomplishments</u> Received information on the 6th annual meeting of the Independent Advisory Panel (IAP) for evaluation of Santa Clara Valley Water District's Potable Reuse program and efforts.
14	Update on Public Private Partnership (P3) Procurement	<u>09/23/20 Objectives</u> Received information on the key factors influencing the P3 procurement process and schedule	<u>09/23/20 Accomplishments</u> Staff provided updated information on the process leading to a Request for Qualifications and a Request for Proposals for a public-private partnership to develop and operate a purified water project. Staff discussed key considerations influencing the public-private partnership procurement plan schedule.

2020 Annual Accomplishments Report
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		<u>11/20/20 Objective</u> Receive updates on major milestones for the Public/Private Partnership (P3) procurement plan schedule for purified water projects.	<u>11/20/20 Accomplishment</u> Staff provided an update that included critical tasks necessary to be completed before issuing the Request for Proposal (RFP): <ul style="list-style-type: none"> Finalizing detailed terms and conditions with our partner agencies Development of a Draft Environmental Impact Report (EIR) for California Environmental Quality Act (CEQA) compliance Developing supporting technical information (e.g., CEQA inputs, subsurface conditions, etc.) Preparing draft Water Services Agreement (i.e., establishing terms by which the P3 Entity will design, build, finance, operate, and maintain the Project and basis for Valley Water payment for services plus defining conditions for relief events, early termination, and conditions for return of facilities). <p>Based on the realistic timelines associated with each of these critical tasks, staff recommended an updated schedule that extended the anticipated release of the RFQ and RFP by several months</p>
15	Urban Runoff Study with Stanford University	No CY 2020 discussion to date.	
16	Outreach Efforts	<u>09/23/20 Objectives</u> Presentation of Public Perception Survey Poll Results on Advanced Purified Water and Public Outreach Update.	<u>09/23/20 Accomplishment</u> Staff reviewed a countywide survey executed by EMC Research in Spring 2020 to collect data on public perception toward water reuse. Key findings included: (1) initial reactions to “using advanced purified recycled water for drinking” are positive, (2) majorities support using advanced purified water to bolster local water supply, (3) messages relaying environmental benefits and safety of advanced purified water remain most compelling communication themes, (4) general awareness of water reuse remains relatively low. The Committee noted that the 2020 survey collected information from Santa Clara County registered voters and requested that future polls should also survey Valley Water customers that are not necessarily registered voters. The Committee noted the information without formal action.

2020 Annual Accomplishments Report
Recycled Water Committee
Updated: 2/16/21

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17	South Santa Clara County Water Reuse Opportunities	<u>08/06/20 Objectives</u> Receive information and discuss next steps.	<u>08/06/20 Accomplishments</u> Staff reviewed collaborative activities with our South County partners (Gilroy, Morgan Hill, SCRWA) since formal agreements were adopted in 1999 to facilitate non-potable recycled water use. The discussion highlighted capital master planning processes in 2004 and subsequent revisions in 2015 to expand water reuse infrastructure, which included engineering design and cost assessment. These 2015 recycled water opportunities were compared to water reuse options developed through the Countywide Water Reuse Master Plan. The Committee noted the information without formal action.
18	South Santa Clara County Water Reuse Governance	<u>08/06/20 Objectives</u> Receive information and discuss next steps.	<u>08/06/20 Accomplishments</u> The Chief Executive Officer (CEO) discussed meetings with Morgan Hill and Gilroy City Managers regarding a possible governance for recycled water collaboration in response to the Board's expression of interest to establish collaborative governance with the cities of South County. The CEO proposed that a letter be sent to both cities that would indicate next steps to accomplish this objective. The Committee requested the Board draft a letter to both Gilroy and Morgan Hill proposing a discussion on South County recycled water governance, formation of a Committee among the cities and Valley Water and developing an integration agreement among members. A letter was subsequently drafted and transmitted in September 2020.



Santa Clara Valley Water District Recycled Water Committee Meeting

Via Teleconference

REGULAR MEETING AGENDA

**Wednesday, February 24, 2021
11:00 AM**

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

RECYCLED WATER COMMITTEE

Tony Estremera - District 6, Chair
Barbara Keegan - District 2, Vice
Chair
Gary Kremen - District 7, Member

During the COVID-19 restrictions, 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 to the public through the legislative body agenda web page at the same time that the public records are distributed or made available to the legislative body, or through a link in the Zoom Chat Section during the respective meeting. Santa Clara Valley Water District will make reasonable efforts to accommodate persons with disabilities wishing to participate in the legislative body's meeting. Please advise the Clerk of the Board Office of any special needs by calling (408) 265-2600.

GARTH HALL
Committee Liaison

EVA SANS
Assistant Deputy Clerk II
Office/Clerk of the Board
(408) 265-2306
esans@valleywater.org

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

Santa Clara Valley Water District
Recycled Water Committee
REGULAR MEETING
AGENDA

Wednesday, February 24, 2021

11:00 AM

Via Teleconference

IMPORTANT NOTICES

This meeting is being held in accordance with the Brown Act as currently in effect under the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20 issued on March 17, 2020 that allows attendance by members of the Committee, staff, and the public to participate and conduct the meeting by teleconference, videoconference, or both.

Members of the public wishing to address the Committee during a video conferenced meeting on an item not listed on the agenda, or any item listed on the agenda, should use the "Raise Hand" or "Chat" tools located in Zoom meeting link listed on the agenda. Speakers will be acknowledged by the Committee Chair in the order requests are received and granted speaking access to address the Committee.

Santa Clara Valley Water District (Valley Water) in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access and/or participate in Valley Water Committee meetings to please contact the Clerk of the Board's office at (408) 630-2711, at least 3 business days before the scheduled meeting to ensure that Valley Water may assist you.

This agenda has been prepared as required by the applicable laws of the State of California, including but not limited to, Government Code Sections 54950 et. seq. and has not been prepared with a view to informing an investment decision in any of Valley Water's bonds, notes or other obligations. Any projections, plans or other forward-looking statements included in the information in this agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of Valley Water's bonds, notes or other obligations and investors and potential investors should rely only on information filed by Valley Water on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures and Valley Water's Investor Relations website, maintained on the World Wide Web at <https://emma.msrb.org/> and <https://www.valleywater.org/how-we-operate/financebudget/investor-relations>, respectively.

Under the Brown Act, members of the public are not required to provide identifying information in order to attend public meetings. Through the link below, the Zoom webinar program requests entry of a name and email address, and Valley Water is unable to modify this requirement. Members of the public not wishing to provide such identifying information are encouraged to enter "Anonymous" or some other reference under name and to enter a fictional email address (e.g., attendee@valleywater.org) in lieu of their actual address. Inputting such values will not impact your ability to access the meeting through Zoom.

Join Zoom Meeting:
<https://valleywater.zoom.us/j/99518153521>
Meeting ID: 995 1815 3521
One tap mobile
+1-669-9009128, 99518153521# (San Jose)

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: Members of the public who wish to address the Committee on any item not listed on the agenda should access the "Raise Hand" or "Chat" tools located in Zoom meeting link listed on the agenda. Speakers will be acknowledged by the Committee Chair in order requests are received and granted speaking access to address the Committee. Speakers comments should be limited to three 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.

[21-0151](#)

Recommendation: Approve the minutes of the January 15, 2021 meeting.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 0111521 Minutes](#)

4. ACTION ITEMS:

4.1. Nominate and Elect a Vice Chairperson for Calendar Year 2021.

[21-0157](#)

Recommendation: Nominate and elect a Vice Chairperson for calendar year 2021.

Manager: Michele King, 408-630-2711

Est. Staff Time: 5 Minutes

4.2. Public Private Partnership Updates.

[21-0147](#)

Recommendation: A. Receive update on negotiations with City of Palo Alto and Cities of San Jose and Santa Clara; and
B. Receive update on the environmental process and Industry Day.

Manager: Kirsten Struve, 408-630-3138

Est. Staff Time: 10 Minutes

4.3. Agreements with Partner Cities San Jose, Santa Clara, and Palo Alto.

[21-0148](#)

Recommendation: Receive information and provide feedback.

Manager: Kirsten Struve, 408-630-3138

Est. Staff Time: 5 Minutes

4.4. South County Recycled Water Collaboration.

[21-0149](#)

Recommendation: Receive information and provide feedback.

Manager: Kirsten Struve, 408-630-3138

Est. Staff Time: 5 Minutes

4.5. Presentation of Comprehensive Community Outreach and Engagement Plan for Purified Water Program.

[21-0150](#)

Recommendation: Receive information on community outreach and engagement efforts for the Purified Water Program.

Manager: Marta Lugo, 408-630-2237

Attachments: [Attachment 1: PowerPoint](#)

Est. Staff Time: 15 Minutes

4.6. Consider Recommendation to Amend the 2021 Legislative Guiding Principles to Include Revision of Principle (I)(A)(3) Regarding Recycled Water.

[21-0200](#)

Recommendation: Approve Committee Recommendation to Board for Amendment of the 2021 Legislative Guiding Principles to revise principle (I) (A)(3) regarding recycled water to bolster advocacy for direct potable reuse regulations.

Manager: Donald Rocha, 408-630-2338

Attachments: [Attachment 1: Direct Potable Reuse One Pager](#)
[Attachment 2: 2021 Legislative Guiding Principles and Proposals](#)

Est. Staff Time: 10 mins

- 4.7. Discuss the 2021 Recycled Water Committee Work Plan, Upcoming Discussion Items, and Next Meeting Date.

Recommendation: Accept the updated 2021 Recycled Water Committee Work Plan and provide feedback on upcoming discussion items and meeting schedule.

Manager: Michele King, 408-630-2711

Attachments: [Attachment 1: 2021 Work Plan](#)
[Attachment 2: Updated 2021 Work Plan](#)

Est. Staff Time: 5 Minutes

5. INFORMATION ITEMS:

6. 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.

7. ADJOURN:

- 7.1. Adjourn to Regular Meeting at 12:00 p.m., on March 24, 2021, to be called to order in compliance with the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20.

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