



# Santa Clara Valley Water District

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**File No.:** 22-0558

**Agenda Date:** 5/10/2022  
**Item No.:** \*2.8.

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## BOARD AGENDA MEMORANDUM

### **SUBJECT:**

Public Hearing-Annual Report Recommending Flood Control Benefit Assessments and Resolution Setting Benefit Assessment Revenue for Fiscal Year 2022-2023.

\*PREVIOUSLY LISTED AS ITEM 2.7

### **RECOMMENDATION:**

- A. Open the annual public hearing to consider any comments regarding the Flood Control Benefit Assessments for Fiscal Year 2022-2023 (FY 2022-23);
- B. Close the Public Hearing; and
- C. Adopt the Resolution ESTABLISHING LAND USE CATEGORIES, CONFIRMING A LEVY OF BENEFIT ASSESSMENTS TO MEET DULY AUTHORIZED DEBT OBLIGATIONS FOR FY 2022-2023 IN FLOOD CONTROL ZONES OF SANTA CLARA VALLEY WATER DISTRICT, IN ACCORDANCE WITH RESOLUTION NOS. 86-54, 86-55, 86-56, 86-57, AND 90-7, AND AUTHORIZING A PROCEDURE FOR CORRECTING ASSESSMENTS.

### **SUMMARY:**

The voter-approved benefit assessments program authorized use of flood control benefit assessments to meet qualified long-term debt obligations associated with outstanding Certificates of Participation until such obligations are retired. The proceeds of the Certificates have been or will be used to plan, design and build flood protection facilities to reduce flood damage. This agenda item presents the staff recommendation to hold the annual public hearing and, after consideration of public input, consider the attached resolution to set benefit assessments at a level to meet FY 2022-23 debt obligations.

### **ENVIRONMENTAL JUSTICE IMPACT:**

There are no Environmental Justice impacts associated with this item.

### **FINANCIAL IMPACT:**

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If the Board does not approve benefit assessments for FY 2022-23, authorized debt obligations of the 2012 and 2017 Certificates of Participation would be at risk for default.

The proposed benefit assessment revenue of \$13,365,248 equals 1.25 times debt service for outstanding Certificates of Participation. Funds collected will be used to pay debt service and to help meet operations and maintenance of the respective watershed zone facilities. Setting rates to generate these funds will meet coverage requirements and rate payer covenants for the outstanding flood protection Certificates of Participation.

**CEQA:**

The establishment of groundwater production charges and other water charges is not a project under CEQA Guidelines Section 15273(a) (CEQA does not apply to establishment or modification of charges by public agencies which the public agency finds are for the purpose of meeting operating expenses; purchasing or leasing supplies, equipment and materials; meeting financial reserve needs/requirements; and obtaining funds for capital projects needed to maintain service within existing service areas).

**ATTACHMENTS:**

- Attachment 1: Staff Report
- Attachment 2: Resolution
- Attachment 3: Flood Control Benefit Assessment Report

**UNCLASSIFIED MANAGER:**

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