



# Santa Clara Valley Water District

**File No.:** 21-0112

**Agenda Date:** 2/23/2021

**Item No.:** 3.1.

---

## BOARD AGENDA MEMORANDUM

### **SUBJECT:**

Resolution to Establish Independent Monitoring Committee for the Renewed Safe, Clean Water and Natural Flood Protection Program.

### **RECOMMENDATION:**

Adopt a Resolution PROVIDING FOR A SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM INDEPENDENT MONITORING COMMITTEE OF THE SANTA CLARA VALLEY WATER DISTRICT.

### **SUMMARY:**

On November 3, 2020, voters overwhelmingly approved the renewed Safe, Clean Water and Natural Flood Protection Program (Safe, Clean Water Program). The renewed Safe, Clean Water Program will begin in FY 2021-22, and will replace in entirety the Safe, Clean Water Program that voters had approved in November 2012 (2012 Safe, Clean Water Program). Unlike the 2012 Safe, Clean Water Program, which was a 15-year program, the renewed Safe, Clean Water Program will continue until repealed by voters, or until the Santa Clara Valley Water District (Valley Water) Board of Directors (Board) determines there is no longer a need for the funding.

The Valley Water Board shall adopt a resolution to establish a new Independent Monitoring Committee (IMC) for the renewed Safe, Clean Water Program (Attachment 1). Of note, there are two key differences between the IMC for the 2012 Safe, Clean Water Program and the renewed Safe, Clean Water Program:

1. The renewed Safe, Clean Water Program IMC will have the opportunity to look ahead once every five-years through its review of each Five-Year Implementation Plan and make recommendations to the Board regarding reasonably necessary measures to meet the priorities of the Program; and
2. Every 15 years, starting in 2035, the IMC shall review and recommend to the Board and public whether the special tax should be reduced or repealed, or is needed to build additional projects to achieve related programmatic benefits in accordance with the priorities of the renewed Safe, Clean Water Program.

After the Board adopts the resolution establishing the IMC for the renewed Safe, Clean Water Program, it will appoint the new IMC members. Once the new IMC members are appointed, their first task will be to review the first Five-Year Implementation Plan for Fiscal Years (FY) 2022-26. The

---

review will take place between March-April of 2021, after which the IMC's recommendations and the staff response, and the Draft FY 2022-26 Five-Year Implementation Plan will be presented to the Board in June 2021 for review and approval.

The 2012 Safe, Clean Water Program IMC will continue with its roles and responsibilities, as set forth in Resolution 13-61, through its review of the FY 2020-21 annual report, which will take place between December 2021 through February 2022, at which time the 2012 Safe, Clean Water Program's IMC's roles and responsibilities will conclude. As the new IMC for the renewed Safe, Clean Water Program begins its duties in March-April of 2021 (FY 2020-21) with the review of the Five-Year Implementation Plan for FY 2022-26, there will be some overlap between the 2012 Safe, Clean Water IMC and the renewed IMC, as outlined in Attachment 2.

**FINANCIAL IMPACT:**

There is no 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: Resolution

Attachment 2: IMC Overlap Timeline

**UNCLASSIFIED MANAGER:**

Melanie Richardson, 408-630-2035