November 24, 2021

MEETING NOTICE

RECYCLED WATER COMMITTEE

Members of the Recycled Water Committee:
   Director Tony Estremera, Committee Chair
   Director Gary Kremen, Committee Vice Chair
   Director Richard Santos, Member

Staff Support of the Recycled Water Committee:
   Rick Callender, Esq., Chief Executive Officer
   Melanie Richardson, Assistant Chief Executive Officer
   Aaron Baker, Chief Operating Officer, Water Utility
   Darin Taylor, Chief Financial Officer
   Tina Yoke, Chief Operating Officer, Information Technology & Administrative Services
   Rachael Gibson, Chief of External Affairs
   J. Carlos Orellana, District Counsel
   Kirsten Struve, Assistant Officer
   Sam Bogale, Assistant Officer
   Vincent Gin, Deputy Operating Officer
   Heath McMahon, Deputy Operating Officer
   Bhavani Yerrapotu, Deputy Operating Officer
   Don Rocha, Deputy Operating Officer
   Hossein Ashktorab, Recycled & Purified Water Manager
   Metra Richert, Water Supply Planning & Conservation Manager
   Sherilyn Tran, Civic Engagement Manager
   Charlene Sun, Treasury and Debt Manager
   Henry Barrientos, Senior Water Resources Specialist
   David Tucker, Associate Engineer – Civil
   Elise Latedjou-Durand, Senior Environmental Planner

The regular meeting of the Recycled Water Committee is scheduled to be held on Wednesday, December 1, 2021 at 12:00 PM. Join Zoom Meeting on link: https://valleywater.zoom.us/j/99518153521.

The meeting agenda and corresponding materials are located on our website: https://www.valleywater.org/how-we-operate/committees/board-advisory-committees.
Santa Clara Valley Water District
Recycled Water Committee Meeting

Join Zoom Meeting
https://valleywater.zoom.us/j/99518153521
Join by Phone
+1 669 900 9128 (San Jose)
Meeting ID: 995 1815 3521

REGULAR MEETING
AGENDA

Wednesday, December 1, 2021
12:00 PM

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

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

***BY VIRTUAL TELECONFERENCE ONLY***

Pursuant to California Government Code section 54953(e), this meeting will be held by teleconference only. No physical location will be available for this meeting; however, members of the public will be able to participate in the meeting as noted below.

In accordance with the requirements of Gov. Code Section 54954.3(a), members of the public wishing to address the Board/Committee at a video conferenced meeting, during public comment or on any item listed on the agenda, should use the “Raise Hand” tool located in the Zoom meeting link listed on the agenda, at the time the item is called. Speakers will be acknowledged by the Board Chair in the order requests are received and granted speaking access to address the Board.

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](https://valleywater.zoom.us/j/99518153521)
Meeting ID: 99518153521
Join by Phone:
1 (669) 900-9128, 99518153521#

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" tool 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. 21-1220
      Recommendation: Approve the minutes of the October 21, 2021 meeting.
      Manager: Michele King, 408-630-2711
      Attachments: [Attachment 1: 102121 Minutes](#)

4. **ACTION ITEMS:**
4.1. Update on Purified Water Program including Partnership with Cities of San Jose and Palo Alto.  

Recommendation:  

A. Receive information and provide feedback on the following;  
1. Update on Public Private Partnership (P3) Purified Water Project;  
2. Update on partnership efforts with the Cities of Palo Alto, San Jose and Santa Clara;  
3. Update on meeting with State Water Resources Control Board’s Division of Drinking Water (DDW); and  
4. Outreach Efforts.  

B. Recommend to Valley Water's Board that subject to successful completion of needed agreements with the City of Palo Alto and the CEQA process, that:  
1. The P3 Project be located in Palo Alto;  
2. Staff continue discussions with the City of San José and Santa Clara to pursue a potential advanced purified water project that Valley Water might pursue after the P3 Project;  
3. Staff seek to extend the funding agreement with the City of San Jose through July 1, 2022.  

Manager: Kirsten Struve, 408-630-3138

4.2. South Santa Clara County Water Reuse Opportunities.  

Recommendation: Receive information and provide feedback on South Santa Clara County Water Reuse Opportunities.  

Manager: Kirsten Struve, 408-630-3138

4.3. 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, 408-630-2557  

Attachments: Attachment 1: 2021 Work Plan  
Attachment 2: Updated 2021 Work Plan

5. INFORMATION ITEMS:

6. ADJOURN:

6.1. Adjourn to Regular Meeting at 12:00 p.m., on December 22, 2021.
COMMITTEE AGENDA MEMORANDUM
Recycled Water Committee

SUBJECT:
Approval of Minutes.

RECOMMENDATION:
Approve the minutes of the October 21, 2021 meeting.

SUMMARY:
In accordance with the Ralph M. Brown Act, 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 to the Committee for review and approval.

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

ATTACHMENTS:
Attachment 1: 102121 Minutes

UNCLASSIFIED MANAGER:
Michele King, 408-630-2711
1. CALL TO ORDER:

A regular meeting of the Santa Clara Valley Water District (Valley Water) Recycled Water Committee (Committee) was called to order via Zoom video teleconference at 3:00 p.m.

1.1 Roll Call.

Committee members participating by teleconference were District 3 Director R. Santos, District 7 Director G. Kremen, and District 6 Director T. Estremera, Chairperson presiding, constituting a quorum of the Committee.

Staff in attendance was E. Sans, Assistant Deputy Clerk II.


Also in attendance were Valley Water consultant contractors D. Chen, HDR, Inc., and P. Daniel, Liquisti, LLC.

2. TIME OPEN FOR PUBLIC COMMENTS ON ANY ITEM NOT ON THE AGENDA:

Chairperson Estremera declared time open for public comment on any item not on the agenda. There was no one present who wished to speak.

3. APPROVAL OF MINUTES:

3.1 Approval of Minutes.


The Committee considered the minutes of the August 25, 2021, and September 22, 2021 meetings.
Move to Approve: R. Santos
Second: G. Kremen
Yeas: R. Santos, G. Kremen, T. Estremera
Nays: None
Abstains: None
Recuses: None
Absent: None
Summary: 3 Yeas; 0 Nays; 0 Abstains; 0 Absent.

4. ACTION ITEMS:

4.1 Update on Purified Water Program Including Partnerships with Cities of San Jose and Palo Alto.

Recommendation: Receive information on:

1. Public Private Partnership (P3);
2. Update on Collaboration with City of San Jose to develop the agreement;
3. Present Draft Agenda for the Joint Recycled Water Policy Committee with the Cities of Palo Alto, East Palo Alto, and Mountain View; and
4. Outreach.

Ms. Kirsten Struve, Assistant Officer, announced that Mr. Paul Brown, Paul Redvers Brown, Inc. President, had been selected as facilitator for resumed discussion of the Purified Water Project agreement; that project schedule and direction from the Board of Directors would be discussed during the first negotiation meeting with City of San Jose; and that the Committee would be updated on the results of this discussion.

Mr. Matt Keller, Program Administrator, informed the Committee about the ongoing campaign of the 15 percent mandatory conservation goal set by the Board in June 2021, with the slogan, “Purified Water and Conservation, Together our Future is Drought-proof.”

The Committee noted the information, without formal action.

4.2 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.

The Committee accepted the Updated Work Plan, without formal action.

5. INFORMATION ITEMS:

None.
6. ADJOURN:

6.1 Chairperson Estremera adjourned the meeting at 3:20 p.m. to the next regular meeting on December 1, 2021.

Eva Sans  
Assistant Deputy Clerk II

Approved:

Date:
COMMITTEE AGENDA MEMORANDUM
Recycled Water Committee

SUBJECT:
Update on Purified Water Program including Partnership with Cities of San Jose and Palo Alto.

RECOMMENDATION:
A. Receive information and provide feedback on the following:
   1. Update on Public Private Partnership (P3) Purified Water Project;
   2. Update on partnership efforts with the Cities of Palo Alto, San Jose and Santa Clara;
   3. Update on meeting with State Water Resources Control Board’s Division of Drinking Water (DDW); and
   4. Outreach Efforts.

B. Recommend to Valley Water’s Board that subject to successful completion of needed agreements with the City of Palo Alto and the CEQA process, that:
   1. The P3 Project be located in Palo Alto;
   2. Staff continue discussions with the City of San José and Santa Clara to pursue a potential advanced purified water project that Valley Water might pursue after the P3 Project;
   3. Staff seek to extend the funding agreement with the City of San Jose through July 1, 2022.

SUMMARY:
1. Update on Public Private Partnership (P3) Purified Water Project

   Two major updates on the P3 Purified Water Project procurement process are being provided: completion of the evaluation of the Statement of Qualifications (SOQ) phase and the ongoing efforts preparing for the Request for Proposal (RFP) phase.

Completion of SOQ Evaluation

Based on evaluation criteria that included organization and management, design-build, operations and maintenance, project understanding and financial qualifications, Valley Water staff completed their evaluation of the eight SOQs that had been submitted and notified the Respondents on November 2, 2021.

    Based on the scoring, the three SOQs receiving the highest total evaluation scores will be invited
to proceed into the Request for Proposal phase of the P3 Purified Water Project procurement process.

Several Respondents requested debriefs which were held November 8th and 9th 2021. On November 9th, 2021, the fourth place Respondent submitted a letter requesting that the short-list be expanded to 4 Respondents due to a) the closeness of their score to the 3rd rated Respondent, b) the addition of a fourth stimulating competition and c) mitigation against potential loss of competition should another Respondent withdraw. They also acknowledged one of staff’s concerns: that addition of a fourth respondent would increase direct and indirect costs to the evaluation process. Per Section 5.6 of the Request for Qualifications:

*Valley Water anticipates shortlisting no more than three qualified Respondents; however, Valley Water reserves -at its sole discretion- the right to modify the number of shortlisted Respondents.*

Staff decided to expand the shortlist to 4 respondents. The shortlist will then be posted.

**Efforts Preparing for Request for Proposal (RFP) Phase of the P3 Purified Water Project**

Work continues preparing the P3 Purified Water Project RFP, drafting the Project Agreement and developing the project technical requirements. Technical reports on underground conditions (e.g., geotechnical, utilities and environmental) are nearing completion. The draft Environmental Impact Report is anticipated to be released in the first quarter of 2022.

**2. Update on partnerships with Palo Alto and San José**

Valley Water and City of Palo Alto staff have continued to collaborate on developing agreements for building the first phase of P3 Purified Water Project. Term sheets for lease and reverse osmosis concentrate management have been submitted to Palo Alto staff for review. In addition, staff have collaborated on Project HomeKey, outreach and coordinating with regulators.

The San José City Council and Valley Water Board acted on September 14, 2021 to direct staff to resume negotiations and engage a mutually agreed upon facilitator. Valley Water’s Board directed staff to fund San José staff through December 31, 2021 to participate in discussions. Over the past month, Valley Water and City of San José and Santa Clara staff mutually agreed on a facilitator and held several meetings to discuss agreements that would be needed for the San Jose site to be the focus of the Purified Water Project. Unfortunately, the multitude of issues that would have to be resolved is not conducive to the P3 Purified Water Project schedule. Therefore, although discussions with the Cities of San Jose and Santa Clara have been productive, additional time will be required to assess whether they can partner with Valley Water on a potential future purified water project.

Based on the Board’s direction to continue to advance the P3 Purified Water Project on schedule, staff believes that resources should be focused on finalizing agreements with the City of Palo Alto in order to proceed with the timely release of the P3 Purified Water Project RFP, while continuing discussions with the Cities of San José and Santa Clara for another potential future purified water project.
3. **Meeting with The State Board's Division of Drinking Water (DDW).**

The California regulatory agencies with primary responsibility for regulating potable water reuse projects are the State Water Resources Control Board (State Board) and the nine Regional Water Quality Control Boards (Regional Boards). The State Board is responsible for setting statewide water quality policy and water reuse requirements. DDW has statutory authority for regulating public water systems in accordance with the California Safe Drinking Water Act and water recycling systems as required by Section 13521 of the California Water Code. DDW does not have enforcement authority for state water recycling criteria; these requirements are enforced through permits administered by a Regional Board under the overall authority of the State Board.

These water reuse regulations and permit requirements are integral to shaping the detailed aspects of potable reuse. The intended uses of water supply and potential impacts to human health and the environment are the primary drivers of these state regulations and requirements. While the end use typically drives the selection of treatment purification, other factors are considered such as source control, monitoring, and response. Staff will discuss recent interagency discussions with DDW regarding groundwater protection and monitoring, regulatory coordination and communication, and development of a project-specific Engineering Report.

4. **Outreach.**

Staff continues to host public and private virtual tours of the purification center. During the month of October, staff hosted 12 tours and reached over 400 members of the public. Staff hosted a VIP on-site tour for California State Assembly member Alex Lee on October 8. Staff met with the Congregation Etz Chayim of Palo Alto on October 28, as part of our continued engagement with the faith community to share information on purified water. On November 15, staff hosted a private virtual tour for the City of Palo Alto’s Public Works Department. Staff also continues to outreach to key stakeholders on the Purified Water Project, including presentations to the Santa Clara Kiwanis Club and the Almaden Hills United Methodist Church. Valley Water is enhancing outreach to Santa Clara County on the importance of water conservation and Purified Water to our local water supply. This increased effort includes advertising on multilingual digital, radio, social media and television.

**ATTACHMENTS:**
None.

**UNCLASSIFIED MANAGER:**
Kirsten Struve, 408-630-3138
Recommends receiving information and providing feedback on South Santa Clara County Water Reuse Opportunities.

Summary:
The Santa Clara Valley Water District (Valley Water) and the Cities of Gilroy and Morgan Hill have a long history of collaboration to ensure the utilization and expansion of recycled water in South County. Since 1999, South County water reuse has been anchored by a series of partnering agreements that promote the development and expansion of our South County Recycled Water System. Valley Water has established the Joint Water Resources Committee (Committee) with elected officials representing the Cities of Gilroy and Morgan Hill to pursue relationships and formal agreements to support recycled and purified water expansion.

In August 2021, the Committee discussed Valley Water's Countywide Water Reuse Master Plan, opportunities to expand water reuse in South County, and development of a comprehensive water reuse agreement. Subsequently, the Committee recommended the establishment of a Technical Working Group (TWG) of agency staffs to further evaluate the opportunities and constraints of: 

- One Comprehensive Water Reuse Agreement,
- Consistent water reuse terms and conditions countywide,
- Provisions to advance water reuse and purified water production, distribution, and wholesaling, and
- Cost sharing accord to integrate water conservation, reuse, and supply.

The Committee's recommendation was approved at a joint meeting of the Valley Water Board and the City Councils of Morgan Hill and Gilroy. In October 2021, the joint Water Resources Committee agreed to hold quarterly meetings beginning in January 2022 and receive updates on interagency collaboration from the TWG. For this committee update, staff will discuss recent (11/17/21 meeting) interagency discussions regarding South County recycled water master planning efforts, options to strengthen and enhance current and future recycling, and a roadmap to update our water recycling process.
agreements and improve South County water reuse.

ATTACHMENTS:
None.

UNCLASSIFIED MANAGER:
Kirsten Struve, 408-630-3138
COMMITTEE AGENDA MEMORANDUM
Recycled Water Committee

SUBJECT:
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.

SUMMARY:
Under direction of the Clerk, Work Plans are used by all Board Committees to increase Committee efficiency, provide increased public notice of intended Committee discussions, and enable improved follow-up by staff. Work Plans are dynamic documents managed by Committee Chairs and are subject to change.

At the January 15, 2021 meeting, the Committee approved the 2021 work plan that has agenda items necessary for the continuation of the recycled water projects (Attachment 1). Staff solicits Committee feedback on any additional timeline information for holding discussions on the assigned Work Plan items, and confirmation of the next meeting date. An updated 2021 work plan (Attachment 2) proposes changes for the remaining meetings in the year.

ATTACHMENTS:
Attachment 1: 2021 Work Plan
Attachment 2: Updated 2021 Work Plan

UNCLASSIFIED MANAGER:
Michele King, 408-630-2557
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<td>Update on Purified Water Program including Partnership with Cities of San Jose and Palo Alto</td>
<td>K. Struve</td>
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<td>Countywide Water Reuse Master Plan</td>
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<td>K. Struve</td>
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<td>Update on SFPUC/BAWSCA Collaboration Efforts</td>
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<td>Conceptual Recycled Water Exchange with Contra Costa Water District and Central Contra Costa Sanitary District</td>
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<td>8</td>
<td>IRS Letter</td>
<td>K. Struve/C. Sun</td>
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<td>Evaluate and propose policy options related to centralized and decentralized reuse for Committee's consideration</td>
<td>K. Struve</td>
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<td>Regional discussions on options to meeting the Board’s 10% recycled water goal using either desalination and brackish water</td>
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<td>Update on the Independent Advisory Panel Meeting</td>
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## UPDATED RWC 2021 WORKPLAN

### Focus 1: Advance the Expedited Purified Water Program by releasing an RFP for at least one locally-sponsored project

Advance the Expedited Purified Water Program

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<td>1.3 Update on Public Private Partnership [P3] Procurement (<a href="#">Previously Work Plan Item No. 13</a>)</td>
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### Focus 2: Implement the CoRe Plan

### Focus 3: Continue to monitor Direct Potable Reuse (DPR) guidance and implement actions as needed.

Continue to monitor Direct Potable Reuse

### Focus 4: Finalize negotiations on term sheet for South County recycled water and agreement on governance

South County Recycled Water Agreement and Governance

### Others

Regional discussion on options: Feasibility analysis of Recycled Water Exchange with Contra Costa Water District and Central Contra Costa Sanitary District and feasibility of desalination ([Previously Work Plan Item No. 10](#))

Evaluate and propose policy options related to centralized and decentralized reuse for Committee’s consideration ([Previously Work Plan Item No. 9](#))

Update on Bottling Purified Water at the SVAWPC ([Previously Work Plan Item No. 11](#))

Urban Runoff Study with Stanford University ([Previously Work Plan Item No. 14](#))

Outreach Efforts ([Previously Work Plan Item No. 15](#))

*Blue strikes - items added on updated work plan

*Red strikes - items deleted from current work plan

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