

December 1, 2016

**TO: SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM,
INDEPENDENT MONITORING COMMITTEE**

Jurisdiction

District 1

District 2

District 3

District 4

District 5

District 6

District 7

Appointment

Member

Julie Hutcheson

Marc Klemencic

Kathleen Sutherland

Mark Espinoza

Tony Santos

Debbie Cauble

Hon. Joe Head

Bill Hoeft

Eileen McLaughlin

Hon. Patrick Kwok

Hon. Dan McCorquodale

Tess Byler

Kit Gordon

Jimmy Nguyen

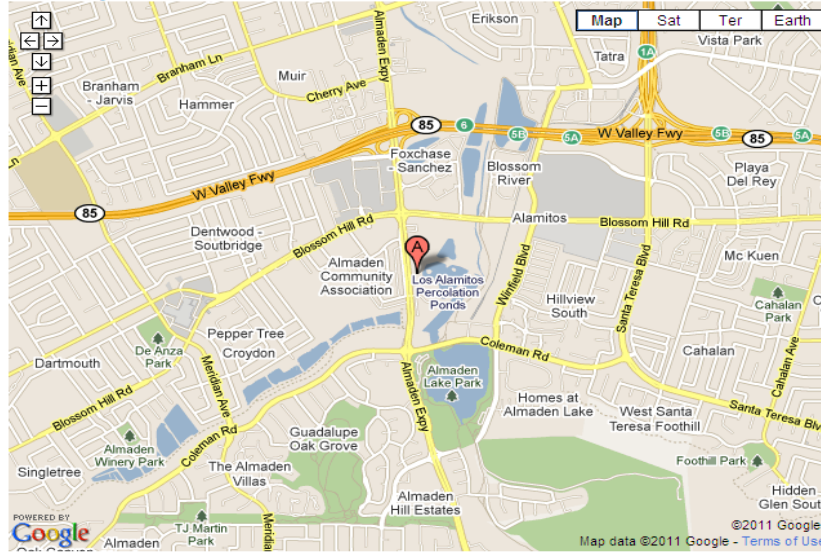
The Safe, Clean Water and Natural Flood Protection Program, Independent Monitoring Committee meeting is scheduled to be held on **Wednesday, December 7, 2016, at 4:00 p.m.**, in the Headquarters Building Boardroom located at the Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose, California. Dinner will be served.

Enclosed are the meeting agenda and corresponding materials. Copies of this packet will be available at the meeting. The meeting packet can also be viewed on-line at <http://www.valleywater.org/SCWIMCmeetings.aspx>.

Please confirm your attendance by contacting Glenna Brambill at 1-408-630-2408, or gbrambill@valleywater.org.

Enclosures

**Santa Clara Valley Water District - Headquarters Building,
5700 Almaden Expressway, San Jose, CA 95118**



From Oakland:

- Take 880 South to 85 South
- Take 85 South to Almaden Expressway exit
- Turn left on Almaden Plaza Way
- Turn right (south) on Almaden Expressway
- At Via Monte (third traffic light), make a U-turn
- Proceed north on Almaden Expressway approximately 1,000 feet
- Turn right (east) into the campus entrance

From Morgan Hill/Gilroy:

- Take 101 North to 85 North
- Take 85 North to Almaden Expressway exit
- Turn left on Almaden Expressway
- Cross Blossom Hill Road
- At Via Monte (third traffic light), make a U-turn
- Proceed north on Almaden Expressway approximately 1,000 feet
- Turn right (east) into the campus entrance

From Sunnyvale:

- Take Highway 87 South to 85 North
- Take Highway 85 North to Almaden Expressway exit
- Turn left on Almaden Expressway
- At Via Monte (third traffic light), make a U-turn
- Proceed north on Almaden Expressway approximately 1,000 feet
- Turn right (east) into the campus entrance

From San Francisco:

- Take 280 South to Highway 85 South
- Take Highway 85 South to Almaden Expressway exit
- Turn left on Almaden Plaza Way
- Turn right (south) on Almaden Expressway
- At Via Monte (third traffic light), make a U-turn
- Proceed north on Almaden Expressway approximately 1,000 feet
- Turn right (east) into the campus entrance

From Downtown San Jose:

- Take Highway 87 - Guadalupe Expressway South
- Exit on Santa Teresa Blvd.
- Turn right on Blossom Hill Road
- Turn left at Almaden Expressway
- At Via Monte (first traffic light), make a U-turn
- Proceed north on Almaden Expressway approximately 1,000 feet
- Turn right (east) into the campus entrance

From Walnut Creek, Concord and East Bay areas:

- Take 680 South to 280 North
- Exit Highway 87-Guadalupe Expressway South
- Exit on Santa Teresa Blvd.
- Turn right on Blossom Hill Road
- Turn left at Almaden Expressway
- At Via Monte (third traffic light), make a U-turn
- Proceed north on Almaden Expressway approximately 1,000 feet
- Turn right (east) into the campus entrance

**Committee Officers**

Kathy Sutherland, Committee Chair
Patrick Kwok, Committee Vice Chair

Board Representative

Barbara Keegan, Board Representative
John L. Varela, Board Alternate

AMENDED AGENDA

Safe, Clean Water and Natural Flood Protection Program (SCW)
Independent Monitoring Committee

WEDNESDAY, DECEMBER 7, 2016

4:00 p.m.

Santa Clara Valley Water District
Headquarters Building Boardroom
5700 Almaden Expressway
San Jose, CA 95118

1. Call to Order (Chair Sutherland)
2. Roll Call (Committee Liaison)
3. Time Open for Public Comment on Any Item Not on Agenda
4. **2017 Committee Chair and Vice Chair Elections**
5. Approval of Minutes – March 2, 2016, meeting
6. Presentation by staff on the following topics:
 - 6.1 Priority A2 – Nitrate Treatment System Rebate Program including detailed outreach information to well users (Vanessa De La Piedra)
 - 6.2 Priority B1 – Trash map presentation (Brett Calhoun)
 - 6.3 Priority D2 – Presentation on plant palettes and possible users (Doug Titus)
7. Update on the Safe, Clean Water and Natural Flood Protection Program Change Control Processes (Jessica Collins)
8. Update on the Homeless Encampment Ad Hoc Committee (outcomes focused on addressing needs of the homeless and the impacts to the rivers and creeks) (Chris Elias)
9. **Set schedule and process for IMC's review of FY16 SCW Annual Report and development of its Report in review of FY16 SCW Annual Report (Chair)**
10. Next Steps
11. Clerk Review and Clarification of Action Items (Committee Liaison)
12. Adjourn

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SAFE, CLEAN WATER AND NATURAL FLOOD PROTECTION PROGRAM
INDEPENDENT MONITORING COMMITTEE

DRAFT MINUTES

WEDNESDAY, MARCH 2, 2016

(Paragraph numbers coincide with agenda item numbers)

A regularly scheduled meeting of the Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee was held on March 2, 2016, in the Headquarters Building Boardroom located at the Santa Clara Valley Water District, 5700 Almaden Expressway, San Jose, California.

1. CALL TO ORDER
Chair Kathleen Sutherland called the meeting to order at 4:06 p.m.
2. ROLL CALL
No Quorum at 4:07 p.m.; the meeting was adjourned.
1. CALL TO ORDER
Chair Kathleen Sutherland called the meeting to order at 4:43 p.m.
2. ROLL CALL
A Quorum was established.

Members in attendance were:

<u>Jurisdiction</u>	<u>Representative</u>	<u>Representative</u>
District 2	Kathleen Sutherland	
District 4	Debra Cauble	Hon. Joe Head
District 5		Eileen McLaughlin
District 6	Hon. Patrick S. Kwok	Hon. Dan McCorquodale
District 7	Kit Gordon	
Appointment	Jimmy Nguyen	

Members not in attendance were:

<u>Jurisdiction</u>	<u>Representative</u>
District 1	Julie Hutcheson
District 2	Marc Klemencic
District 3	Mark Espinoza
	Tony Santos
District 5	Bill Hoeft
District 7	Tess Byler

*Committee Members arrived as indicated below.

Hon. Dan McCorquodale and Mr. Jimmy Nguyen arrived at 4:10 p.m. and
Hon. Patrick Kwok arrived at 4:12 p.m.

No Board members were in attendance.

Staff members in attendance were: Ricardo Barajas, Rechelle Blank, Glenna Brambill, Debra Caldon, Jessica Collins, Jerry De La Piedra, Vanessa De La Piedra, Chris Elias, Jim Fiedler, Liang Lee, Tony Mercado, Ngoc Nguyen, Katherine Oven, Melanie Richardson, Afshin Rouhani, Paul Thomas, James Ujah, and Jose Villarreal,

4. APPROVAL OF MINUTES

It was moved by Mr. Hon. Patrick Kwok and seconded by Hon. Joe Head, and by majority vote to approve the minutes of the January 27, 2016, Safe, Clean Water and Natural Flood Protection Program Independent Monitoring Committee meeting, as presented. Ms. Debra Cauble abstained.

6. REVIEW IMC'S DRAFT REPORT 2 OF THE FY15 SCW ANNUAL REPORT

The Subcommittee Chairs presented the Committee with an overview of their respective Priorities (Hon. Patrick Kwok for Priorities A and B, Ms. Kathleen Sutherland for Mr. Bill Hoeft for Priorities C and E, Ms. Eileen McLaughlin for Priority D, Mr. Jimmy Nguyen for Other Projects).

Ms. Jessica Collins and Mr. Liang Lee were available to answer questions.

No action was taken.

7. APPROVE FINALIZATION OF DRAFT REPORT 2

Chair Kathleen Sutherland as the Committee for approval of the report with all the noted changes.

It was moved by Ms. Debra Cauble and seconded by Mr. Jimmy Nguyen and unanimously voted to approve Report 2 with all the noted changes.

8. NEXT STEPS

- a. IMC Report on the FY15 SCW Annual Report Finalized by March 10, 2016
Chair Kathleen Sutherland will be finalizing the Report with all the concerns and changes mentioned by March 10, 2016.
- b. IMC Chair presents IMC Report to Board of Directors on March 22, 2016
Chair Kathleen Sutherland will present Report 2 to the Board on March 22, 2016.

9. REVIEW AND CLARIFICATION OF ACTION ITEMS

Ms. Glenna Brambill reported there were no action items for Board consideration.

10. ADJOURNMENT

Chair Kathleen Sutherland adjourned the meeting at 5:06 p.m.

Glenna Brambill
Office of the Clerk of the Board

Approved:



Independent Monitoring Committee
**Safe, Clean Water
and Natural Flood Protection Program**



Meeting Date: 12/07/16

Agenda Item: 6.1

Presenter Name: Vanessa De La Piedra

Email: vdelapiedra@valleywater.org

AGENDA MEMO

SUBJECT

Priority A2 – Nitrate Treatment System Rebate Program Outreach

BOARD REQUEST

The Board requested a presentation by staff on Priority A2 related to the nitrate rebate program.

BACKGROUND

Project A2 of the Safe, Clean Water and Natural Flood Protection Program includes rebates to private well users for the installation of point-of-use treatment systems to remove excess nitrate from their drinking water. While 100% of eligible requests for nitrate treatment system rebates have been awarded, participation in the program has been low as shown in the table below.

Fiscal Year	Rebates Approved	Approved Rebate Amount (\$)
2014	3	334
2015	6	1,049
2016	3	1,103
2017 (to date)	6	2,860
Total	18	5,346

To promote the rebate program, in FY 16 the District:

- Mailed program postcards to about 4,500 well owners,
- Promoted the program in South County retail stores selling treatment systems,
- Presented information on the program at various community meetings, including the:
 - Perchlorate Community Advisory Group Meeting on December 4, 2015
 - San Martin Neighborhood Alliance meeting on January 19, 2016



Independent Monitoring Committee

Safe, Clean Water and Natural Flood Protection Program

Santa Clara Valley
Water District



- South County Rate Setting Public Hearing/Open House on April 14, 2016
- Small Acreage Stewardship Workshop on May 17, 2016, and
- Expanded program eligibility to include residents served by State Small Water Systems (systems serving 5-14 connections that are not classified as public water systems).

To date in FY 17, six rebates have been approved for a total of \$2,860. While still relatively small in terms of the number and amount of rebates, this represents an increase from FY 16. On behalf of the District, in November 2016 the Santa Clara County Department of Environmental Health (DEH) mailed rebate program postcards to over 60 State Small Water Systems regulated by DEH. At this time, it is too early to assess the effect of this outreach; however, staff has received calls from several systems indicating interest. Due to the large number of residences served by these systems, this outreach could significantly boost program participation. Staff has also received a number of calls from well owners interested in the rebate program.

Continued implementation of the rebate program requires funding, which to date has been relatively large compared to rebates issued. In FY 16, total program costs were approximately \$18,000 for the issuance of three rebates totaling \$1,103. However, regulatory agencies responsible for protecting groundwater quality view the rebate program favorably. Staff from both the San Francisco Bay and Central Coast Regional Water Quality Control Boards have commended the District on the free nitrate testing and nitrate treatment system rebate programs, which demonstrate a proactive response to help minimize well owner exposure to elevated nitrate.

NEXT STEPS

The District continues to evaluate the demand for this program, and to explore new strategies to improve program participation.

ATTACHMENTS

None



Independent Monitoring Committee

Safe, Clean Water and Natural Flood Protection Program

Santa Clara Valley
Water District



Meeting Date: 12/07/16

Agenda Item: 6.2

Presenter Name: Brett Calhoun

Email: jcalhoun@valleywater.org

AGENDA MEMO

SUBJECT

Priority B1 – Trash map presentation

BOARD REQUEST

Safe Clean Water Priority B1-Update on Guadalupe River Trash Raft Mapping and Clean up activities.

BACKGROUND

During the 2015 Safe Clean Water staff presentation to the Independent Monitoring Committee, Environmental Planning Unit staff indicated GIS and field work had begun on the Guadalupe River Trash Raft Mapping as one of the 10 Priority B1 Pollution Prevention Activities. Staff indicated they would be available to provide an update of this pollution prevention activity to the Independent Monitoring Committee in 2016.

NEXT STEPS

Continue field mapping and clean up activities for the Guadalupe River Trash Raft Mapping activity and implement a similar activity for the District owned sections of Coyote Creek as possible based on safety considerations.

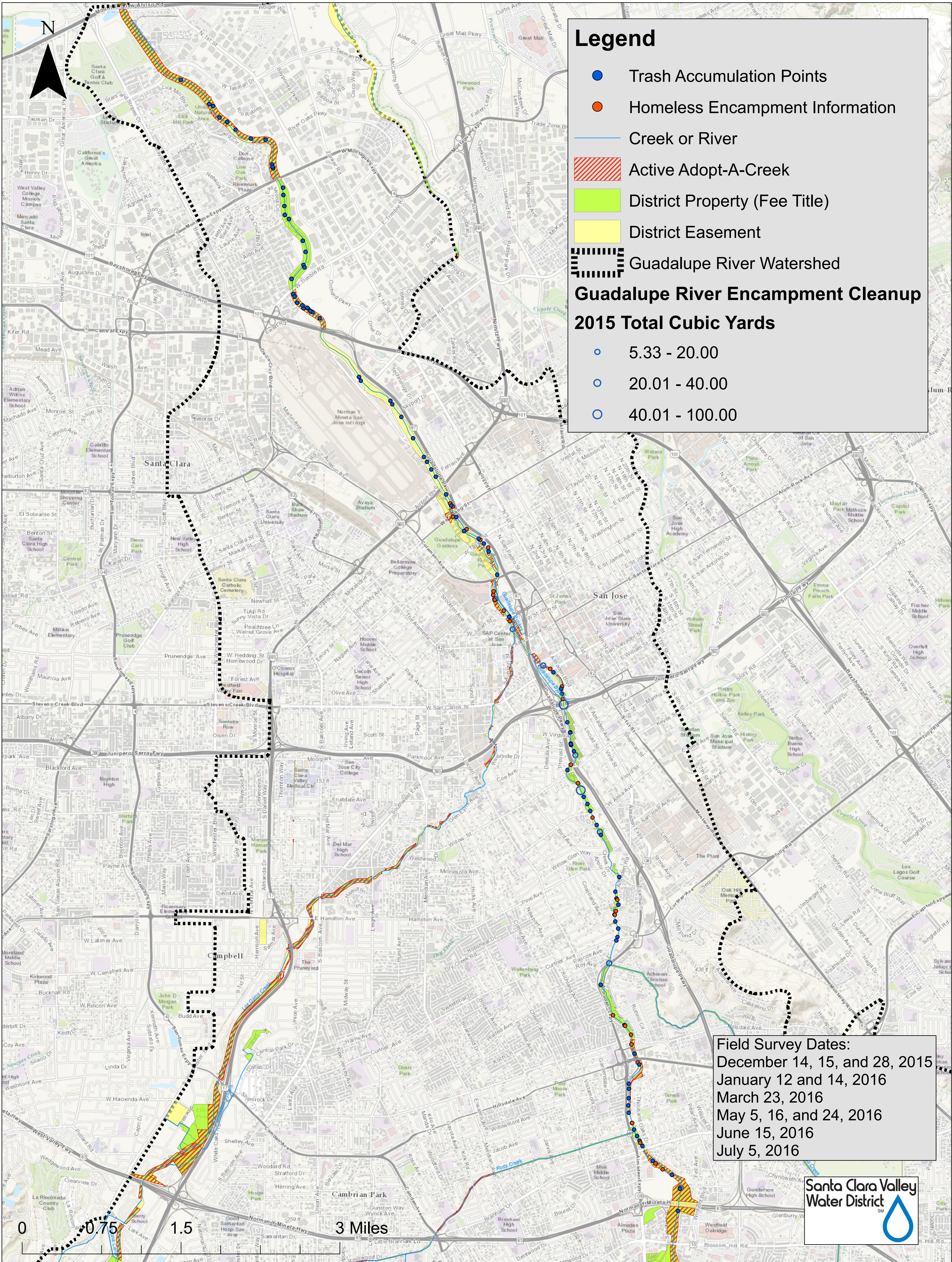
ATTACHMENTS

Attachment 1: Draft - Guadalupe River Pilot Trash Accumulation Point Map January - July 2016

http://www.valleywater.org/uploadedFiles/Programs/Safe_Clean_Water_and_Natural_Flood_Protection/Priority_B/GuadalupeRiverTrashMap_July2016.pdf?n=8172

Draft - Guadalupe River Pilot Trash Accumulation Point Map

January - July 2016





Independent Monitoring Committee
**Safe, Clean Water
and Natural Flood Protection Program**



Meeting Date: 12/07/16
Agenda Item: 6.3
Presenter Name: Doug Titus
Email: dtitus@valleywater.org

AGENDA MEMO

SUBJECT

Priority D2 presentation on plant palettes and possible users

BACKGROUND

The Safe, Clean Water and Natural Flood Protection Program Priority D2 has a KPI to develop at least 2 plant palettes for use on revegetation projects to support birds and other wildlife. The IMC requested that staff create a matrix of the plant palette by species (animal, insect, bird) for the D2 website.

NEXT STEPS

Two new plant palettes were created and placed on the D2 website – Plants native to Santa Clara County for wildlife, bees and butterflies.

RESOURCE

The presentation will view and go through the plant palettes and related links on the D2 website, as well as show some other relevant online resources (see <http://www.valleywater.org/SCW-D2.aspx>).

ATTACHMENTS

None



Independent Monitoring Committee

Safe, Clean Water and Natural Flood Protection Program

Santa Clara Valley
Water District



Meeting Date: 12/07/16

Agenda Item: 7

Presenter Name: Jessica Collins

Email: jcollins@valleywater.org

AGENDA MEMO

SUBJECT

Update on the Safe, Clean Water and Natural Flood Protection Program Change Control Processes

BOARD REQUEST

On April 12, 2016, the Board directed staff to present information to the Safe, Clean Water and Natural Flood Protection (SCW) Program Independent Monitoring Committee (IMC) regarding how and when the IMC can best make recommendations to revise SCW Program KPI's.

At the Board meeting on April 26, 2016, the Board approved the change of control processes for making changes to the SCW Program.

BACKGROUND

The SCW Program was developed to allow for adjustments as needed, to ensure that key performance indicators (KPIs) are achieved on time and within budget. To modify or not implement a project, Resolution No. 12-62, Section J (Attachment 1), requires that the Board must hold a formal, public hearing on the matter.

By distinguishing between project adjustments and modifications, the District is able to clearly define the project changes that trigger the requirement for a public hearing. In addition, by identifying the processes for making adjustments and formalizing a clear process for annual public hearings, the District is able to implement the SCW Program as it was intended.

Staff will memorialize Board approved adjustments, modifications and decisions to not-implement projects in future SCW Annual Reports. Staff will also incorporate these changes in the 5-Year Implementation Plan on an annual basis. All of the updated documents will be posted to the District's website for public access.



Adjustments versus Modifications

Described in Table 1 are the types of changes to SCW projects that are considered adjustments and modifications.

Table 1		
Types of Changes	Adjustments	Modifications
Text	Edits to text for correction of grammatical errors, information/data updates, and overall readability	Changes to a project's KPIs
Schedule	Adjustments to project schedules provided in the original SCW Program	
Funding	Fiscal Year budget adjustments and increases to project funding allocations that do not impact any project deliverables in the SCW Program	Increases to project funding allocations that will impact any project's KPIs in the SCW Program

Adjustments

Over the course of the program, there may be cases in which adjustments may be necessary in project or program funding, resource allocation, or KPIs. In these cases, the Board will provide direction to staff as to its preferred strategy, based on staff analyses and recommendations and any additional information brought forward by the community, stakeholders, or the Independent Monitoring Committee.

Adjustments to the program will be made by the Board and the changes will be reflected in subsequent annual reports and 5-Year Implementation plans.

Described in Table 2 are the approved processes for making adjustments to the SCW Program.



Independent Monitoring Committee
**Safe, Clean Water
 and Natural Flood Protection Program**



Table 2

Adjustments	Processes
Text Edits to text for correction of grammatical errors, information/data updates, and overall readability	<ol style="list-style-type: none"> 1. Board approval will be sought at the time the Draft SCW Annual Report is presented for approval 2. Board approved adjustments to text will be updated in the current 5-Year Implementation Plan and included in future SCW Annual Reports, which will both be posted to the website
Schedule Adjustments to project schedules provided in the original SCW Program	<ol style="list-style-type: none"> 1. Capital project schedules will be approved by the Board through the annual capital project status report 2. Schedule comparison of the original SCW Program project schedule to the project's current schedule will be included in the SCW Annual Report 3. This information will be posted to the Program's web page and updated in the 5-Year Implementation Plan
Funding Fiscal Year budget adjustments and increases to project funding allocations that do not impact any project deliverables in the SCW Program	<ol style="list-style-type: none"> 1. Comply with District processes for budget adjustments 2. Approval for increases to project appropriations per the SCW Program Report, Appendix G, will follow the District's annual budget process, with analysis provided as to the impact on the overall SCW fund to ensure that any project KPIs in the Program will not be impacted 3. Annual and Cumulative Financial Summary information will be included in the SCW Annual Report 4. This information will be posted to the Program's web page and updated in the 5-Year Implementation Plan

Modifications and Non-Implementation

The Board may direct that proposed projects be modified or non-implemented as described in Resolution No. 12-62, Section J, which states:

The Board of Directors may direct that proposed projects in the Safe, Clean Water and Natural Flood Protection Program be modified or not implemented depending upon a



Independent Monitoring Committee
**Safe, Clean Water
 and Natural Flood Protection Program**



number of factors, including federal and state funding limitations and the analysis and results of CEQA environmental review. The Board of Directors must hold a formal, public hearing on the matter, which will not be noticed by publication and notification to interested parties, before adoption of any such decision to modify or not implement a project.

Described in Table 3 are the SCW Program processes for modifying or not implementing a project, as per Resolution No. 12-62.

Table 3	
Modifications	Process
Text Changes to a project's KPIs	1. Public hearing 2. Approved modifications will be included in the SCW Annual Report, posted to the Program's web page, and updated in the current 5-Year Implementation Plan
Funding Increases to project funding allocations that will impact other project's deliverables in the SCW Program	1. Public hearing 2. Approved modifications will be included in the SCW Annual Report, posted to the Program's web page, and updated in the current 5-Year Implementation Plan
Non-implementation	Process
Decision to not implement a project	1. Public hearing 2. Approved non-implementation of a project will be included in the SCW Annual Report, posted to the Program's web page, and updated in the current 5-Year Implementation Plan

Public Hearing Processes

The Board approved a point-in-time for a public hearing during each fiscal year, so that should the need for project modifications or non-implementation arise for multiple projects, the following can be accomplished:

1. Reduced costs for public notice placements in newspapers by holding one public hearing for multiple projects;
2. Consistency for interested stakeholders who wish to participate on an annual basis;



3. Acceptance or rejections of proposed modifications prior to the budget hearings, allowing for the Board's direction to be incorporated in the next fiscal year budget; and
4. An annual opportunity for project managers to propose modifications that incorporate both the Board's review of the SCW Annual Report (September) and the Board accepted recommendations of the Independent Monitoring Committee (March).

The point-in-time for the public hearing will be no later than the last Board meeting in April, prior to the Board's adoption of the next fiscal year's budget. The public hearing will be scheduled for one day, however, if the Board feels their decision on a proposed modification would be better informed by reviewing the budget and/or CIP, the Board has two options:

1. Keep the public hearing open until the Board has reviewed the budget and/or CIP; or
2. Close the public hearing, but hold the decision on a proposed modification until the Board has reviewed the budget and/or CIP.

Each year, as needed, the Board will set the time and place for the public hearing during a Board meeting.

The District will provide notice consistent with the two-week notice requirements stated in Government Code section 6066. The outreach goal for the public notices is to be inclusive in our outreach and transparent in our description of the proposed modifications to the Projects.

NEXT STEPS

The Independent Monitoring Committee's recommendations will go to the Board as part of its report reviewing the FY16 SCW Annual Report.

ATTACHMENTS:

Attachment 1: SCWVD Resolution No. 12-62

Attachment 2: PowerPoint

RESOLUTION NO. 12-62

PROVIDING FOR THE CONTINUATION AND LEVY OF A
SPECIAL TAX TO PAY THE COST OF A SAFE, CLEAN WATER
AND NATURAL FLOOD PROTECTION PROGRAM
IN THE COMBINED FLOOD CONTROL ZONE OF THE
SANTA CLARA VALLEY WATER DISTRICT SUBJECT,
NEVERTHELESS, TO SPECIFIED LIMITS AND CONDITIONS

WHEREAS, Santa Clara Valley Water District (District) policy is to ensure current and future water supplies and provide healthy, clean and reliable water in Santa Clara County; and

WHEREAS, District policy is to ensure reliable, clean water supplies for Santa Clara County and to protect Santa Clara County creeks, reservoirs, Monterey Bay, and San Francisco Bay from contaminants; and

WHEREAS, District policy is to provide for flood water and storm water flood protection to residents, businesses, visitors, public highways, and the watercourses flowing within the District; and

WHEREAS, District policy is to protect our water supply, pipelines and local dams from earthquakes and natural disasters; and

WHEREAS, the District maintains a flood protection system of levees, channels, drains, debris basins and other improvements upon which the lives and property of District residents depend, which said improvements must be kept in a safe and effective condition; and

WHEREAS, the District policy is to protect, enhance and restore healthy Santa Clara County creeks, watersheds and baylands ecosystems; and

WHEREAS, the need for protection of Santa Clara County water supplies, creeks, watersheds and baylands has increased since the voters passed the Clean, Safe Creeks and Natural Flood Protection Plan in 2000; and

WHEREAS, the District policy is to engage in partnerships with the community to provide open spaces, trails and parks along Santa Clara County creeks and watersheds; and

WHEREAS, the California State Legislature has authorized the District to levy a special tax on each parcel of property within the District or any zone or zones thereof upon receiving the approving vote of a two-thirds majority of the electorate of the District or zones therein; and

WHEREAS, the purpose of the special tax is to supplement other available but limited revenues to keep said improvements in a safe and effective condition; to enable the District to respond to emergencies; to perform maintenance and repair; to acquire, restore and preserve habitat; to provide recreation; to conduct environmental education; to protect and improve water quality; and, to construct and operate flood protection and storm drainage facilities; including in each case the cost of financing such activities; and

WHEREAS, State California Environmental Quality Act (CEQA) Guidelines section 15378(b)(4), states that government funding mechanisms are not projects subject to the requirements of CEQA.

Resolution Providing for the Establishment and Levy of a Special Tax to Pay the Cost of a Safe, Clean Water and Natural Flood Protection Program in the Combined Flood Control Zone of the Santa Clara Valley Water District Subject, Nevertheless, to Specified Limits and Conditions

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Santa Clara Valley Water District as follows:

FIRST: The Board hereby finds that since (a) the management of creeks, watersheds and baylands to ensure safe, clean water and to protect, enhance and restore healthy ecosystems; and the construction and management of flood protection services, are made necessary by stormwater runoff, and (b) the lands from which runoff derives are benefitted by provision of means of disposition which alleviates or ends the damage to other lands affected thereby, by direct protection of loss of property, and other indirect means which include improved aesthetics and quality of life, the basis on which to levy the special tax is at fixed and uniform rates per area and county or city designated land use of each parcel, taxed as such parcel is shown on the latest tax rolls.

SECOND: Pursuant to the authority of Section 3 of the District Act, a Combined Zone consisting of the aggregate metes and bounds descriptions of Zones One, Two, Three, Four and Five is presently existing.

THIRD: A special District Election will be called within said District, on the proposition of levy of a special tax.

FOURTH: Subject to approval by two-thirds of the electors of the District voting at such election and pursuant to the authority vested in the Board, there is hereby established a special tax as authorized by this resolution, the proceeds of which shall be used solely for the purpose of supporting the priorities of the Safe, Clean Water and Natural Flood Protection program. The priorities are summarized in Table 1. The Safe, Clean Water and Natural Flood Protection Program Report (hereafter "Report") generally describes the priorities. This tax shall be instituted with the following provisions:

- A. The Chief Executive Officer (CEO) or designee of the District is directed to cause a written Report to be prepared for each fiscal year for which a special tax is to be levied and to file and record the same, all as required by governing law. Said Report shall include the proposed special tax rates for the upcoming fiscal year at any rate up to the maximum rate approved by the voters. A special fund shall be established into which proceeds from the tax shall be deposited. Proceeds from the tax may be used only for the Safe, Clean Water and Natural Flood Protection Program.
- B. The CEO, or designee of the District may cause the special tax to be corrected in the same manner as assessor's or assessee's errors may be corrected but based only upon any or all of the following:
 - 1. Changes or corrections in ownership of a parcel;
 - 2. Changes or corrections of address of an owner of a parcel;
 - 3. Subdivision of an existing parcel;
 - 4. Changes or corrections in the use of all or part of a parcel;
 - 5. Changes or corrections in the computation of the area of a parcel;

Resolution Providing for the Establishment and Levy of a Special Tax to Pay the Cost of a Safe, Clean Water and Natural Flood Protection Program in the Combined Flood Control Zone of the Santa Clara Valley Water District Subject, Nevertheless, to Specified Limits and Conditions

6. As to railroad, gas, water, telephone, cable television, electric utility right of way, electric line right of way or other utility right of way properties.

Changes and corrections are not valid unless and until approved by the Board.

- C. The Clerk of the Board shall immediately file certified copies of the final determination of special taxes and confirming resolution with the Auditor-Controller of the County of Santa Clara and shall immediately record with the County Recorder of said County a certified copy of the resolution confirming the special tax.
- D. The special tax for each parcel set forth in the final determination by the Board shall appear as a separate item on the tax bill and shall be levied and collected at the same time and in the same manner as the general tax levy for county purposes. Upon recording of the resolution confirming the special tax such special tax shall be a lien upon the real property affected thereby.
- E. Failure to meet the time limits set forth in this resolution for whatever reason shall not invalidate any special tax levied hereunder.
- F. No special tax for the Safe, Clean Water and Natural Flood Protection Program shall be imposed upon a federal or state or local governmental agency. With said exception, a Safe, Clean Water and Natural Flood Protection Program special tax is levied on each parcel of real property in the five Flood Control Zones of the District subject to this resolution for the purposes stated in the Report and in this Resolution. Except for the minimum special tax as hereinafter indicated, the special tax for each parcel of real property in each such zone is computed by determining its area (in acres or fractions thereof) and land use category (as hereinafter defined) and then multiplying the area by the special tax rate applicable to land in such land use category. A minimum special tax may be levied on each parcel of real property having a land area up to 0.25 acre for Groups A, B, and C, up to 10 acres for Groups D and E Urban and, for Group E Rural, the minimum special tax shall be that as calculated for the E Urban category.
- G. Land use categories for each parcel of land in the District are defined and established as follows:
 - Group A: Land used for commercial or industrial purposes.
 - Group B: Land used for institutional purposes such as churches and schools or multiple dwellings in excess of four units, including apartment complexes, mobile home parks, recreational vehicle parks, condominiums, and townhouses.
 - Group C: (1) Land used for single family residences and multiple family units up to four units. (2) The first 0.25 acre of a parcel of land used for single family residential purposes.

Resolution 12-62

Resolution Providing for the Establishment and Levy of a Special Tax to Pay the Cost of a Safe, Clean Water and Natural Flood Protection Program in the Combined Flood Control Zone of the Santa Clara Valley Water District Subject, Nevertheless, to Specified Limits and Conditions

- Group D: (1) Disturbed agricultural land, including irrigated land, orchards, dairies, field crops, golf courses and similar uses. (2) The portion of the land, if any, in excess of 0.25 acre of a parcel used for single family residential purposes.
- Group E: Vacant undisturbed land (1) in urban areas and (2) in rural areas including dry farmed land, grazing and pasture land, forest and brush land, salt ponds and small parcels used exclusively as well sites for commercial purposes.
- Group F: Parcels used exclusively as well sites for residential uses are exempt from the special tax.
- H. The special tax amounts applicable to parcels in the various land uses shall be as prescribed by the Board of Directors in each fiscal year (July 1 through June 30) beginning with fiscal year 2013-2014 all as stated above, in the Report and as required by law; provided, that the annual basic special tax unit (single family residential parcel) shall not exceed a maximum limit of \$56, as adjusted by the compounded percentage increases of the San Francisco-Oakland-San Jose Consumer Price Index (CPI-U) for all Urban Consumers (or an equivalent index published by a government agency) in the year or years since April 30, 2013; provided, however that appropriate amounts may be increased in any year by up to the larger of the percentage increase of the San Francisco-Oakland-San Jose Consumer Price Index for all Urban Consumers in the preceding year or three percent (3%); and provided, further, however that in any period, not exceeding three years, immediately following a year in which the Governor of the State of California or the President of the United States has declared an area of said zones to be a disaster area by reason of flooding or other natural disaster, then to the extent of the cost of repair of District facilities damaged by such flooding or other natural disaster, the maximum tax rate shall be the percentage increase in CPI-U plus 4.5 percent and provided, that special taxes for the Safe, Clean Water and Natural Flood Protection Program shall be levied for a total of 15 years and, therefore, shall not be levied beyond June 30, 2029.
- I. Pursuant to the State California Environmental Quality Act (CEQA) Guidelines section 15378(b)(4), adoption of this resolution for continuation of the parcel tax and as a government funding mechanism, is not a project subject to the requirements of CEQA. Prior to commencement of any project included in the Safe, Clean Water and Natural Flood Protection Program, any necessary environmental review required by CEQA shall be completed.
- J. The Board of Directors may direct that proposed projects in the Safe, Clean Water and Natural Flood Protection Program be modified or not implemented depending upon a number of factors, including federal and state funding limitations and the analysis and results of CEQA environmental review. The Board of Directors must hold a formal, public hearing on the matter, which will be noticed by publication and notification to interested parties, before adoption of any such decision to modify or not implement a project.

Resolution Providing for the Establishment and Levy of a Special Tax to Pay the Cost of a Safe, Clean Water and Natural Flood Protection Program in the Combined Flood Control Zone of the Santa Clara Valley Water District Subject, Nevertheless, to Specified Limits and Conditions

- K. In the event that the county or city designated land use for a parcel is different than the actual land use, the CEO of the District may, pursuant to written policies and procedures, cause the special tax to be adjusted based upon any or all of the following:
1. The parcel owner shall provide the District a claim letter stating that the present actual land use is different than the county or city designated land use, including an estimate of the portion of the parcel that is different than the designated land use. Such claim is subject to investigation by the District as to the accuracy of the claim. Parcel owner shall furnish information deemed necessary by the District to confirm the actual uses and areas in question which may include, but not be limited to, a survey by a licensed surveyor.
 2. The parcel owner shall request the District to inspect the parcel and reevaluate the parcel tax.
 3. The parcel owner shall notify the District after a substantial change in the actual land use occurs, including a new estimate of the portion of the parcel that is different than the designated land use.
 4. The District may inspect and verify the actual land use for these parcels on a regular basis and will notify the appropriate parcel owners when it is determined that the actual land use has matched a county or city designated land use. The District shall then correct the special tax rates for these parcels accordingly.
- L. Pursuant to state law, the District may provide an exemption from the special tax for low income owner-occupied residential properties for taxpayer-owners who are 65 years of age or older, the following shall apply:
- Residential parcels where the total annual household income does not exceed 75 percent of the latest available figure for state median income at the time the annual tax is set, and such parcel is owned and occupied by at least one person who is aged 65 years or older is qualified to apply for an exemption from the applicable special tax.
- M. An external, independent monitoring committee shall be appointed by the District Board of Directors to conduct an annual audit and provide an annual Report to the Board of Directors regarding implementation of the intended results of the Safe, Clean Water and Natural Flood Protection Program; at the fifth and tenth anniversaries of the Safe, Clean Water and Natural Flood Protection Program, the committee will identify to the District Board of Directors such modifications as may be reasonably necessary to meet the priorities of the Safe, Clean Water and Natural Flood Protection Program.
- N. During the Safe, Clean Water and Natural Flood Protection Program period, the Board of Directors shall conduct at least two professional audits of the Program to provide for accountability and transparency.
- O. Upon entering into effect, the Safe, Clean Water and Natural Flood Protection Program parcel tax authorized by this resolution and placed on the ballot by RESOLUTION NO. 12-63 will repeal and replace the Clean, Safe Creeks and Natural Flood Protection Plan parcel tax approved by the voters in 2000. On the date that the parcel tax authorized by

Resolution Providing for the Establishment and Levy of a Special Tax to Pay the Cost of a Safe, Clean Water and Natural Flood Protection Program in the Combined Flood Control Zone of the Santa Clara Valley Water District Subject, Nevertheless, to Specified Limits and Conditions

this resolution and RESOLUTION NO. 12-63 goes into effect, the Safe, Clean Water and Natural Flood Protection Program will replace in its entirety the Clean, Safe Creeks and Natural Flood Protection Plan; any tax payments already made by voters and collected for use by the Water District for the Clean, Safe Creeks and Natural Flood Protection Plan will be used to achieve priorities identified in the Safe, Clean Water and Natural Flood Protection Program. Funding for capital projects currently identified in the Clean, Safe Creeks and Natural Flood Protection Plan, will continue under the Safe, Clean Water and Natural Flood Protection Program to meet previous commitments. All other projects and programs identified in the Clean, Safe Creeks and Natural Flood Protection Plan will be replaced by comparable projects or programs with similar or expanded obligations under the Safe, Clean Water and Natural Flood Protection Program.

PASSED AND ADOPTED by the Board of Directors of Santa Clara Valley Water District by the following vote on July 24, 2012:

AYES: Directors T. Estremera, P. Kwok, D. Gage, J. Judge, R. Santos, B. Schmidt, L. LeZotte

NOES: Directors None.

ABSENT: Directors None.

ABSTAIN: Directors None.

SANTA CLARA VALLEY WATER DISTRICT

By: 
LINDA J. LEZOTTE
Chair/Board of Directors

ATTEST: MICHELE L. KING, CMC


Clerk/Board of Directors

1928119.1

TABLE 1 - RESOLUTION NO. 2012- 62

Providing for the continuation and levy of a special tax to pay the cost of a Safe, Clean Water and Natural Flood Protection Program in the combined flood control zone of the Santa Clara Valley Water District subject, nevertheless, to specified limits and conditions

Summary of Key Performance Indicators for the 15-Year Program

Project	Key Performance Indicator
Priority A: Ensure a Safe, Reliable Water Supply	
A1 Main and Madrone Avenue Pipelines Restoration	<ol style="list-style-type: none"> 1. Restore transmission pipelines to full operating capacity of 37 cubic feet per second from Anderson Reservoir. 2. Restore ability to deliver 20 cubic feet per second to Madrone Channel.
A2 Safe, Reliable Water Grants and Partnerships	<ol style="list-style-type: none"> 1. Award up to \$1 million to test new conservation activities. 2. Increase number of schools in Santa Clara County in compliance with SB 1413 and the Healthy Hunger-Free Kids Act, regarding access to drinking water by awarding 100% of eligible grant requests for the installation of hydration stations; a maximum of 250 grants up to \$254k. 3. Reduce number of private well water users exposed to nitrate above drinking water standards by awarding 100% of eligible rebate requests for the installation of nitrate removal systems; a maximum of 1000 rebates up to \$702k.
A3 Pipeline Reliability Project	<ol style="list-style-type: none"> 1. Install 4 new line valves on treated water distribution pipelines.

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Summary of Key Performance Indicators for the 15-Year Program

Project	Key Performance Indicator
Priority B: Reduce Toxins, Hazards, and Contaminants in our Waterways	
B1 Impaired Water Bodies Improvement	<ol style="list-style-type: none"> 1. Operate and maintain existing treatment systems in 4 reservoirs to remediate regulated contaminants, including mercury. 2. Prepare plan for the prioritization of pollution prevention and reduction activities. 3. Implement priority pollution prevention and reduction activities identified in the plan in 10 creeks.
B2 Inter-Agency Urban Runoff Program (includes Santa Clara Valley Urban Runoff Pollution Prevention and South County programs)	<ol style="list-style-type: none"> 1. Install at least 2 and operate 4 trash capture devices at stormwater outfalls in Santa Clara County. 2. Maintain partnership with cities and County to address surface water quality improvements. 3. Support 5 pollution prevention activities to improve surface water quality in Santa Clara County either independently or collaboratively with south county organizations.
B3 Pollution Prevention Partnerships and Grants	<ol style="list-style-type: none"> 1. Provide 7 grant cycles and 5 partnerships that follow pre-established competitive criteria related to preventing or removing pollution.
B4 Good Neighbor Program: Illegal Encampment Cleanup	<ol style="list-style-type: none"> 1. Perform 52 annual clean-ups for the duration of the SCW program to reduce the amount of trash and pollutants entering the stream.
B5 Hazardous Materials Management and Response	<ol style="list-style-type: none"> 1. Respond to 100% of hazardous materials reports requiring urgent on-site inspection in two hours or less.
B6 Good Neighbor Program: Remove graffiti and litter	<ol style="list-style-type: none"> 1. Conduct 60 clean-up events (4 per year). 2. Respond to requests on litter or graffiti cleanup within 5 working days.
B7 Support Volunteer Cleanup Efforts and Education	<ol style="list-style-type: none"> 1. Provide 7 grant cycles and 3 partnerships that follow pre-established competitive criteria related to cleanups, education and outreach, and stewardship activities. 2. Fund District support of annual National River Clean Up day, California Coastal Clean Up Day, the Great American Pick Up, and fund the Adopt-A-Creek Program.

TABLE 1 - RESOLUTION NO. 2012- 62

Providing for the continuation and levy of a special tax to pay the cost of a Safe, Clean Water and Natural Flood Protection Program in the combined flood control zone of the Santa Clara Valley Water District subject, nevertheless, to specified limits and conditions

Summary of Key Performance Indicators for the 15-Year Program

Project	Key Performance Indicator
Priority C: Protect Our Water Supply and Dams From Earthquakes and Other Natural Disasters	
C1 Anderson Dam Seismic Retrofit	1. Provide portion of funds, up to \$45 million, to help restore full operating reservoir capacity of 90, 373 acre-feet.
C2 Emergency Response Upgrades	1. Map, install, and maintain gauging stations and computer software on seven flood-prone reaches to generate and disseminate flood warnings.

TABLE 1 - RESOLUTION NO. 2012- 62

Providing for the continuation and levy of a special tax to pay the cost of a Safe, Clean Water and Natural Flood Protection Program in the combined flood control zone of the Santa Clara Valley Water District subject, nevertheless, to specified limits and conditions

Summary of Key Performance Indicators for the 15-Year Program

Project	Key Performance Indicator
Priority D: Restore Wildlife Habitat and Provide Open Space Access	
D1 Management of Revegetation Projects	1. Maintain a minimum of 300 acres of revegetation projects annually to meet regulatory requirements and conditions.
D2 Revitalize Riparian, Upland and Wetland Habitat	1. Revitalize at least 21 acres, guided by the 5 Stream Corridor Priority Plans , through native plant revegetation and removal of invasive exotic species. 2. Provide funding for revitalization of at least 7 of 21 acres through community partnerships. 3. Develop at least 2 plant palettes for use on revegetation projects to support birds and other wildlife.
D3 Partnerships and Grants to Restore Wildlife Habitat and Provide Access to Trails	1. Develop 5 Stream Corridor Priority Plans to prioritize stream restoration activities. 2. Provide 7 grant cycles and additional partnerships for \$21 million that follow pre-established criteria related to the creation or restoration of wetlands, riparian habitat and favorable stream conditions for fisheries and wildlife, and providing new public access to trails.
D4 Fish Habitat and Passage Improvements	1. Complete planning and design for two creek/lake separations. 2. Construct one creek/lake separation project in partnership with local agencies. 3. Use \$6 million for fish passage improvements. 4. Conduct study of all major steelhead streams in the County to identify priority locations for installation of large woody debris and gravel as appropriate. 5. Install large woody debris and/or gravel at a minimum of 5 sites (1 per each of 5 major watersheds).
D5 Ecological Data Collection and Analysis	1. Establish new or track existing ecological levels of service for streams in 5 watersheds. 2. Re-assess streams in 5 watersheds to determine if ecological levels of service are maintained or improved.
D6 Creek Restoration and Stabilization	1. Construct 3 geomorphic designed projects to restore stability and stream function by preventing incision and promoting sediment balance throughout the watershed.
D7 Partnerships for the Conservation of Habitat Lands	1. Provide up to \$8 million for the acquisition of property for the conservation of habitat lands.
D8 South Bay Salt Ponds Restoration Partnership	1. Establish agreement with the US Fish and Wildlife Service to reuse sediment at locations to improve the success of Salt Pond restoration activities. 2. Construct site improvements up to \$4 million to allow for transportation and placement of future sediment.

TABLE 1 - RESOLUTION NO. 2012- 62

Providing for the continuation and levy of a special tax to pay the cost of a Safe, Clean Water and Natural Flood Protection Program in the combined flood control zone of the Santa Clara Valley Water District subject, nevertheless, to specified limits and conditions

Summary of Key Performance Indicators for the 15-Year Program

Project	Key Performance Indicator (KPI)
Priority E: Provide Flood Protection to Homes, Businesses, Schools, Streets and Highways	
E1.1 Vegetation Control for Capacity	1. Maintain 90% of improved channels at design capacity.
E1.2 Sediment Removal for Capacity	
E1.3 Maintenance of Newly Improved Creeks	
E1.4 Vegetation Management for Access	1. Provide vegetation management for 6,120 acres along levee & maintenance roads.
E2.1 Coordination with Local Municipalities on Flood Communication	1. Coordinate with agencies to incorporate District-endorsed flood emergency procedures into their Emergency Operations Center plans.
E2.2 Flood-Fighting Action Plans	1. Complete 5 flood-fighting action plans (one per major watershed).
E3 Flood Risk Reduction Studies	1. Complete engineering studies on 7 creek reaches to address 1% flood risk. 2. Update floodplain maps on a minimum of 2 creek reaches in accordance with new FEMA standards.

TABLE 1 - RESOLUTION NO. 2012- 62

Providing for the continuation and levy of a special tax to pay the cost of a Safe, Clean Water and Natural Flood Protection Program in the combined flood control zone of the Santa Clara Valley Water District subject, nevertheless, to specified limits and conditions

Summary of Key Performance Indicators for the 15-Year Program

Project	Key Performance Indicator (KPI)
Priority E: Provide Flood Protection to Homes, Businesses, Schools, Streets and Highways	
E4 Upper Penitencia Creek	<ol style="list-style-type: none"> 1. <u>With federal and local funding</u>, construct a flood protection project to provide 1 percent flood protection to 5,000 homes, businesses and public buildings. 2. <u>With local funding only</u>, acquire all necessary right-of-ways and construct a 1 percent flood protection project from Coyote Creek confluence to King Road.
E5 San Francisquito Creek	<ol style="list-style-type: none"> 1. <u>With federal and local funding</u>, protect more than 3,000 parcels by providing 1 percent flood protection. 2. <u>With local funding only</u>, protect approximately 3,000 parcels from flooding (100-year protection downstream of HWY 101, 50-year protection upstream of HWY 101).
E6 Upper Llagas Creek	<ol style="list-style-type: none"> 1. <u>With federal and local funding</u>, provide flood protection to 1,100 homes, 500 businesses, and 1,300 agricultural acres, while improving stream habitat. 2. <u>With local funding only</u>, provide 100-year flood protection for Reach 7 only (up to W. Dunne Avenue in Morgan Hill). A limited number of homes and businesses will be protected.
E7 San Francisco Bay Shoreline Study	<ol style="list-style-type: none"> 1. Provide portion of the local share of funding for planning and design phases for the former salt production ponds and Santa Clara County shoreline area. 2. Provide portion of the local share of funding toward estimated cost of initial project phase (Economic Impact Area 11).
E8 Upper Guadalupe River	<ol style="list-style-type: none"> 1. <u>With federal and local funding</u>, construct a flood protection project to provide 1 percent flood protection to 6,280 homes, 320 businesses and 10 schools and institutions. 2. <u>With local funding only</u>, construct flood protection improvements along 4,100 feet of Guadalupe River between SPRR crossing, downstream of Willow Street, to UPRR crossing, downstream of Padres Drive. Flood damage will be reduced; however, protection from the 1-percent flood is not provided until completion of the entire Upper Guadalupe River Project.



**Safe, Clean Water and Natural Flood Protection Program
Change Control Processes
Independent Monitoring Committee Presentation
December 7, 2016**



► Change Control Processes

- Adjustments v. Modifications

- Processes for Adjustments

- Process for Modifications/Non-implementation

 - Annual Public Hearing Process

Adjustments v. Modifications

Types of Changes	Adjustments	Modifications
Text	Edits to text for correction of grammatical errors, information/data updates, and overall readability	Changes to a project's KPIs
Schedule	Adjustments to project schedules provided in the original SCW Program	
Funding	Fiscal Year budget adjustments and increases to project funding allocations that do not impact any project deliverables in the SCW Program	Increases to project funding allocations that will impact any project's KPIs in the SCW Program

Processes for Adjustments

Adjustments	Process
<p>Text</p> <p>Edits to text for correction of grammatical errors, information/ data updates, and overall readability</p>	<ol style="list-style-type: none"> 1. Board approval will be sought at the time the Draft SCW Annual Report is presented for approval 2. Board approved adjustments to text will be updated in the current 5-Year Implementation Plan and included in future SCW Annual Reports, which will both be posted to the website
<p>Schedule</p> <p>Adjustments to project schedules provided in the original SCW Program</p>	<ol style="list-style-type: none"> 1. Capital project schedules will be approved by the Board through the annual capital project status report 2. Schedule comparison of the original SCW Program project schedule to the project's current schedule will be included in the SCW Annual Report 3. This information will be posted to the Program's web page and updated in the current 5-Year Implementation Plan
<p>Funding</p> <p>Fiscal Year budget adjustments and increases to project funding allocations that do not impact any project deliverables in the SCW Program</p>	<ol style="list-style-type: none"> 1. Comply with District processes for budget adjustments 2. Approval for increases to project appropriations per the SCW Program Report, Appendix G, will follow the District's annual budget process, with analysis provided as to the impact on the overall SCW fund to ensure that any project KPIs in the Program will not be impacted 3. Annual and Cumulative Financial Summary information will be included in the SCW Annual Report 4. This information will be posted to the Program's web page and updated in the current 5-Year Implementation Plan

Processes for Modifications and Non-Implementation

Modifications	Process
Text Changes to a project's KPIs	<ol style="list-style-type: none">1. Public hearing2. Approved modifications will be included in the SCW Annual Report, posted to the Program's web page and updated in the current 5-Year Implementation Plan
Funding Increases to project funding allocations that will impact other project's deliverables in the SCW Program	<ol style="list-style-type: none">1. Public hearing2. Approved modifications will be included in the SCW Annual Report, posted to the Program's web page and updated in the current 5-Year Implementation Plan

Non-implementation	Process
Decision to not implement a project	<ol style="list-style-type: none">1. Public hearing2. Approved non-implementation of a project will be included in the SCW Annual Report, posted to the Program's web page and updated in the current 5-Year Implementation Plan

SCW Public Hearing Process

- ▶ Establishes a point-in-time for a public hearing during each fiscal year (no later than April)
 - ▶ Should the need for project modifications or non-implementation arise for multiple projects, the following can be accomplished:
 1. Reduced costs for public notice placements by holding one public hearing for multiple projects;
 2. Consistency for interested stakeholders who wish to participate on an annual basis;
 3. Acceptance or rejection of proposed modifications prior to the budget hearings, allowing for the Board's direction to be incorporated in the next fiscal year budget; and
 4. An annual opportunity for project managers to propose modifications that incorporate both the Board's review of the SCW Annual Report (September) and the Board accepted recommendations of the IMC (March).
- ▶ Public Notices
 - ▶ Placement of public notices will be consistent with Cal.Gov.Code § 6066
 - ▶ Notice will be emailed to stakeholders, including but not limited to:
 - ▶ SCW IMC and Blue Ribbon Committee
 - ▶ Project stakeholders, including local government



Independent Monitoring Committee

Safe, Clean Water and Natural Flood Protection Program

Santa Clara Valley
Water District



Meeting Date: 12/07/16

Agenda Item: 8

Presenter Name: Chris Elias

Email: celias@valleywater.org

AGENDA MEMO

SUBJECT

Update on the Homeless Encampment Ad Hoc Committee (outcomes focused on addressing needs of the homeless and the impacts to the rivers and creeks)

BOARD REQUEST

On April 12, 2016, the District Board of Directors directed staff to update the Safe, Clean Water and Natural Flood Protection Program's Independent Monitoring Committee (IMC) on the Homeless Encampment Ad Hoc committee.

BACKGROUND

The purpose of the Board's Homeless Encampment Ad Hoc Committee (Committee) is to discuss homelessness and encampment issues, and bring discussion and recommendations back to the Board.

In pursuance of its charter, the Committee presented four recommendations to the Board at the November 22, 2016, Board meeting. The recommendations to the Board were:

- A. When District-owned residential rental properties become available and are deemed suitable by the District and applicable city, the Santa Clara County (County) Office of Supportive Housing will be contacted to be given first opportunity to see if the properties will be conducive to provide housing for the homeless;
- B. If Recommendation A (above) is approved, adopt the Resolution RESCINDING RESOLUTION 09-78 AND ADOPTING A PROCEDURE TO LEASE DISTRICT REAL PROPERTY AND COMMENCE UNLAWFUL DETAINER ACTIONS that will provide exceptions to the guidelines requiring residential rental properties be advertised in a competitive manner and be leased on a month-to-month basis only;
- C. Declare certain District lands as surplus, and make them available for sale to the County and other municipalities to support the development of permanent housing,



Independent Monitoring Committee
**Safe, Clean Water
and Natural Flood Protection Program**



including the County's Pay for Success programs, which prioritizes providing shelter for homeless persons in the County. These are in addition to the four parcels the Board declared surplus at the September 27, 2016, Board meeting; and

Authorize the Interim Chief Executive Officer to negotiate and come back to the Board

with a cost-share partnership with the City of San José and Downtown Streets Team to remove trash and other debris in homeless encampments and to conduct outreach to the homeless along local creeks.

Decision Held Off on Recommendation A & B

The Board elected to hold off on approving Committee Recommendations A and B, pending further outreach to neighbors of residential properties that could potentially become vacant, and, if deemed suitable, be leased to the County to house the qualified homeless persons/families. The Board decision was to accommodate the request for greater outreach made by a couple of concerned Mountain View residents and the property management firm that is currently managing District rental properties.

The Board also directed staff to review Measure V, which was recently approved by voters in the City of Mountain View, and its impact on the District's ability to rent its residential properties to the County consistent with the Board's property leasing guidelines and/or staff recommendations.

Recommendations C and D Approved

The Board approved Recommendation C to declare certain District lands as surplus, and make them available for sale to the County and other municipalities to support the development of permanent housing, including the County's Pay for Success programs; and Recommendation D to enter into a cost-share partnership with the City of San José to have Downtown Streets Team Cleanup homeless person encampments.

NEXT STEPS

Recommendations A & B. Staff will:

- Conduct greater outreach to cities and neighbors of District properties that could potentially be leased to the County if these rental properties were to become vacant.
- Staff will also provide the Board an analysis of the impact of the recently approved Measure V on the District's ability to rent its Mountain View residential properties to the County.



Independent Monitoring Committee

Safe, Clean Water and Natural Flood Protection Program

Santa Clara Valley
Water District



Recommendation C. To make surplus lands available for affordable housing:

- The Board must, by resolution, determine that the sites are no longer necessary to be retained for use by the District; and
- The District would offer to sell (or lease) surplus lands to the County, cities and certain government agencies that have jurisdiction where the land is located for low or moderate income housing purposes, schools, parks, open space, transit village purposes. If none of these government agencies accept the District offer of sale of the surplus land for the authorized purposes, the land may be sold pursuant to a public auction. It should be noted that there are exceptions to offering certain small remnant parcels or landlocked parcels to governmental agencies for authorized uses. For surplus lands not exceeding \$25,000 in estimated value, the Board may sell, exchange, quitclaim or convey upon terms and conditions approved by the Board.

Recommendation D. The District will develop an agreement with City of San José and bring it to the full Board for its approval.

ATTACHMENTS

None

IMC Review FY16 Report – Suggested Schedule

Review Period: December 2016 – February 2017

- ▶ **December 7** IMC Review Kick-Off Meeting
 - ▶ Staff to deliver requested presentations
 - ▶ IMC to discuss proposed report review schedule and process and identify sub-committee chairs/members
- ▶ **January 9-13** IMC Project Review via Priority Sub-committees
 - ▶ Project managers/deputies will attend and capture notes/questions related to their project and begin drafting responses
 - ▶ **January 18** Meeting notes w/staff responses (captured and follow-up) will be provided to IMC members
- ▶ **January 25** Sub-committee chairs report findings to IMC
 - ▶ Project managers/deputies will attend and capture notes/questions related to their project and begin drafting responses
 - ▶ **January 27** Meeting notes w/staff responses (captured and follow-up) will be provided to IMC members
- ▶ **February 1** Report Drafting Meeting (Sub-committee Chairs/representatives)
 - ▶ IMC Liaison will capture report text in the template
 - ▶ **February 3** Draft report will be provided to “Report Drafting” members for review and edits
- ▶ **February 10** Draft Report mailed to IMC members
- ▶ **February 15** IMC Meeting to Review/Finalize Draft Report
- ▶ **February 17** IMC Audit Report of Year 3 Annual Report Finalized
 - ▶ Final report released to staff
- ▶ **February 28** IMC presents report to Board of Directors
- ▶ **February 28** District staff to present Staff Response