



SANTA CLARA VALLEY WATER DISTRICT

# NON-AGENDA

## February 21, 2025

**Board Policy EL-7 Communication and Support to the Board**  
*The BAOs shall inform and support the Board in its work.*

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	<b><u>OUTGOING BOARD CORRESPONDENCE</u></b>
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31	Email from Chair Estremera to Harry Tran, dated 02/18/25, responding to their inquiry and providing information about several ongoing efforts to promote sustainable practices to improve water-supply reliability in Santa Clara County.

# **CEO BULLETIN**

# CEO BULLETIN



**To: Board of Directors**  
**From: Melanie Richardson, Interim CEO**

## **Weeks of February 7, 2025 – February 20, 2025**

**Board Executive Limitation Policy EL-7:**

*The Board Appointed Officers shall inform and support the Board in its work. Further, a BAO shall 1) inform the Board of relevant trends, anticipated adverse media coverage, or material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established and 2) report in a timely manner an actual or anticipated noncompliance with any policy of the Board.*

Item	IN THIS ISSUE
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<u>2</u>	Planned Five-Day Rinconada Water Treatment Plant Shutdown from March 10 to March 15, 2025
<u>3</u>	Recurring Report on Personnel Vacancies
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**1. Customer Survey Indicates Valley Water’s Free Domestic Well Testing Program Continues to be Valued by Well Owners**

Valley Water offers to collect and analyze water quality samples from eligible Santa Clara County residences served by domestic wells. This helps Valley Water protect groundwater and helps domestic well users better protect their health by understanding the quality of their water. Valley Water notifies participating well owners of any potential water quality concerns and provides information on related actions well owners may want to take.

To gauge customer satisfaction and identify any program improvements needed, Valley Water asks participants to complete a voluntary survey. Results from 2024 show that well owners continue to rate the free testing program very highly for scheduling, timeliness, professionalism, explanation of testing results, and overall value. The value and success of the program can be summarized by one customer's feedback: "This is a critically important program to us. We depend on safe well water and this gives us the confidence we need to rely on it. A big plus too is how professional and kind the Valley Water staff is." More information can be found Valley Water's domestic well testing program is available on [www.valleywater.org/welltesting](http://www.valleywater.org/welltesting) or by calling the Groundwater Hotline at (408) 630-2300.

For further information, please contact Greg Williams at (408) 630-2867.

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### **2. Planned Five-Day Rinconada Water Treatment Plant Shutdown from March 10 to March 15, 2025**

Starting on March 10, 2025, the Rinconada Water Treatment Plant (RWTP) will be shut down for five (5) days to facilitate the Rinconada Reliability Improvement Project work. During this shutdown, the project team will transfer existing electrical loads to new distribution panels and install blind flanges on a 48-inch overflow pipe. Valley Water staff will also take this opportunity to perform other preventive maintenance and improvement activities. Performing periodic preventive maintenance is essential to ensure that the water treatment plant's critical systems are safe, reliable and remain in good working order.

During this shutdown, all West Pipeline (WPL) turnouts normally supplied by RWTP, except for the Mountain View and Vallco Turnouts, are expected to be impacted. Barring any unforeseen circumstances, the RWTP is scheduled to return to service on March 15, 2025.

The above stated shutdown schedule has also been communicated and coordinated with all WPL retailers. The retailers impacted by this shutdown will use their groundwater and/or alternate supplies to meet demand.

For further information, please contact Sam Bogale at (408) 630-3505.

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### **3. Recurring Report on Personnel Vacancies**

Valley Water strives to attract, develop, and retain a talented and diverse workforce. Our employees come from diverse cultural and professional backgrounds. Valley Water promotes high performance, diversity, and equal employment opportunities.

Human Resources has been providing a monthly report on staffing levels and vacancies per the Board's request. As a result of budget challenges, Valley Water initiated a hiring freeze. We have been working on a process to accurately address the vacancy that includes all positions including those that have been frozen. The following is the information effective January 31, 2025.

Valley Water Staffing Levels:

871 - Total Positions

831 - Number of positions filled

40 - In recruitment and/or Open

4% - Vacancy Factor

2 - Separations

Note - Valley Water had 921 positions and 50 are frozen.

This report will be provided before the second Board meeting to ensure we include complete monthly data.

For further information, please contact Patrice McElroy at (408) 630-3159.

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**4. Update on the Water Infrastructure Finance and Innovation Act (WIFIA) Loans for the Anderson Dam Seismic Retrofit and Safe, Clear Water Projects**

On February 12, 2025, Valley Water received the following loan disbursements from the United States Environmental Protection Agency, to reimburse Valley Water for expenditures incurred for the projects covered under each specific WIFIA Loan:

(1) Anderson Dam Seismic Retrofit and Coyote Percolation Dam Replacement Projects (ADSRP projects) (WIFIA Loan ID 22115CA): \$24,190,474,.02.

(2) Sunnyvale East and West Channels and Coyote Creek Flood Protection Projects (SCW projects) (WIFIA Loan ID 21116CA): \$7,234,977.99

The Board authorized the \$579 million WIFIA Master Program for the ADSRP projects on 12/13/2022 pursuant to Resolution #22-112 and the \$147 million WIFIA Master Program for the SCW projects on 10/25/2022 pursuant to Resolution #22-99. The WIFIA Master Program allows multiple loans to be executed to align with project development and construction schedule. The initial loan of \$73.9 million for the ADSRP projects and \$41.3 million for the SCW projects were executed with a loan interest rate of 3.77%, and are payable as follows:

ADSRP WIFIA Loan 1: principal amount \$73.9 million, estimated interest of \$105 million; interest payable 12/1/2029 - 6/1/2059; principal payable 6/1/2049 - 6/1/2059.

SCW WIFIA Loan 1: principal amount \$41.3 million, estimated interest of \$52.5 million; interest payable 2/1/2028 - 8/1/2061; principal payable 8/1/2050 - 8/1/2061.

Valley Water has the option to prepay the WIFIA loans without penalty at any time, and reduce the interest cost of the respectively loans, subject to Board approval of the prepayment amount.

Valley Water has also entered into a \$1.4 billion WIFIA Master Program for the Pacheco Reservoir Expansion project on 10/30/2023, pursuant to Board approval under Resolution #22-112. The initial loan of \$91.6 million was executed with a loan interest rate of 5.08% (WIFIA ID 20114CA). To-date, Valley Water has not drawn any funds under the Pacheco WIFIA loan.

For further information, please contact Darin Taylor at (408) 630-3068.

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**5. Valley Water's public meeting on the Almaden Dam Improvement Project, Calero Dam Seismic Retrofit Project, and Guadalupe Dam Seismic Retrofit Project**

On January 23, 2025, Valley Water hosted the Almaden Dam Improvement Project, Calero Dam Seismic Retrofit Project, and Guadalupe Dam Seismic Retrofit Project community meeting to update neighbors about the progress and timeline of these projects. The hybrid meeting was held at the Valley Water Headquarters, with seven attendees participating virtually.

Vice Chair Santos welcomed attendees before the start of the presentation. Director Beall was also in attendance. A question-and-answer session followed the presentation. The next public meeting is anticipated to occur in the summer once the Draft Environmental Impact Report for the Calero Dam Seismic Retrofit Project has been released.

Each project web page and Valley Water's YouTube channel have links to the public meeting recording.

For further information, please contact Rachael Gibson at (408) 630-2884.

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6. **Hsueh**

**Staff to provide answer to the following question: would Valley Water ultimately pay for the Delta Conveyance Project whether Valley Water was a participating member or not? I-25-0001**

Response: "On 2/4/25, Charlene Sun and Darin Taylor met with Director Hsueh and captured a few questions related to if Valley Water would ultimately pay for the Delta Conveyance Project (DCP) whether Valley Water was a participating member or not. The short answer is that unlike the initial concept for a DCP contract amendment where everyone had to pay, the plan now is that the DCP contract amendment will allow any contractor that does not want to participate to opt out (or not opt in) in which case they will NOT have to pay any DCP costs.

Below is a Q&A that was prepared by staff to further elaborate:

Question: What would happen to the cost/benefits of the DCP project for any agency that decides to vote against funding its share? Would the costs/benefits be redistributed proportionally among the members who voted for the funding?

Answer: Right now, it is contemplated that all State Water Project (SWP) contractors will be able to choose whether or not they want to participate in the project. For contractors that do not want to pay for DCP, they will not have to pay anything, but they will not receive the same benefits that DCP participants receive. Currently, it is unclear how 100% of DCP costs will be paid for because less than 100% of SWP contractors want to participate. The Department of Water Resources (DWR) has stated there will be no redistribution of unfunded shares to remaining partners unless remaining partners agree to such a redistribution. If a current participant votes to withdraw from the project, then there may be a gap in funding moving forward. Remaining participants may offer to take up the unfunded portion. DWR has stated that they intend to seek new partners or evaluate possible approaches for state funding and State ownership if the gap is not filled. However, no details have been provided on these possible approaches.

Question: If DWR receives the validation that it has the legal authority to issue bonds for the project, would any of the SWP agencies still have the option to "opt-out" of participating in the DCP project? If so, would the costs/benefits be redistributed proportionally among the members who opted in to the project?

Answer: The State's current position is that, even if DWR receives the validation that it has legal authority to issue bonds for the project, participation is voluntary and agencies can "opt out" of the participation in the project. Under the current thinking, each participating and non-participating SWP contractor would have to execute an amendment to its SWP water supply contract to either (1) receive DCP benefits and pay costs for the DCP, or (2) specify that it would not receive the DCP benefits nor pay the costs; such execution would be voluntary. The funding gap would not be automatically redistributed but could be voluntarily picked up by remaining participants. It is unclear how this participation/funding gap will be filled.

Question: If all SWP participants are required to pay for the DCP once DWR receives validation and issues bonds, and such costs are passed through the agencies via the statement of charges, would the agencies who had funded costs prior to the validation receive some type of true-up from the non-participating agencies to ensure fair distribution of prior costs?

Answer: If the project moves forward and DWR issues bonds, staff believes DWR will use part of the bond proceeds to reimburse all of the agencies that have provided funding through Delta Conveyance Finance Authority (DCFA) for initial DCP planning costs. (If the DCP does not go forward to bond issuance, staff assumes that all of the agencies that contributed planning \$ will simply lose this money and not be reimbursed by DWR.) In any event, DWR, not non-participants, will true-up the advanced funds contributed.”

For further information, please contact Darin Taylor at (408) 630-3068.

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**7. Beall  
Staff Report Relating to Changes to the United States Army Corps of Engineers’ Project  
Evaluation Process  
I-25-0002**

Historically, the US Army Corps of Engineers (Corps) evaluated water resources investments using a benefit-cost ratio based on “National Economic Development” (NED) benefits. NED benefits were largely based on property values and were calculated as avoided damages to residential and business structures. Other benefits such as avoided regional damages to roads and airports, environmental benefits, and other social effects such as loss of service of roads were not typically included in the calculation. Sometimes these could be included if the benefit-cost ratio was close enough to 1, and additional benefits would push it over the threshold.

On January 17, 2025, the Corps published a new rule establishing Agency Specific Procedures (ASPs) that provide an updated framework for how the Corps will evaluate proposed water resources investments. The ASPs focus on maximizing net public benefits across economic, environmental, and social categories rather than focusing on NED benefits only. The environmental, economic, and social benefits and costs may be quantified using monetary or non-monetary metrics; and are to be fully considered in formulating and evaluating alternative plans and making recommendations to decision-makers.

In the Shoreline Phase II project, avoided damages to the Palo Alto Wastewater Treatment Facility, US Highway 101, the Palo Alto Municipal Airport and other county roads were not included in the benefit-cost calculation as these were considered regional benefits (not part of NED benefits). Regional damages are not explicitly identified in the new ASPs; however, the Corps’ intent is to capture regional damages in the environmental, economic or social benefit categories. While not explicitly identified in the new ASPs, the Corps has stated that they intend to work with non-federal sponsors and partners to make sure these types of regional damages are captured appropriately in analysis.

Although the ASPs have been published, the Corps still needs to determine how to monetize social and environmental benefits, and to fully implement the new guidance. They are working on developing tools and partnering with universities to establish more detailed guidelines. Valley Water commented extensively on the ASPs and will continue to track the Corps’ work to ensure that Valley Water’s Corps partnership projects are appropriately evaluating comprehensive benefits.

For further information, please contact Bhavani Yerrapotu at (408) 630-2735.

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# **BOARD MEMBER REQUESTS and Informational Items**

Report Name: Board Member Requests

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
R-25-0003	01/28/25	Hsueh	Gibson	Lugo	Staff to work with the Water Commission chairperson to schedule discussions of Valley Water's CIP and conservation programs at the upcoming July and October 2025 Water Commission Meetings.	02/17/25		
I-25-0001	02/04/25	Hsueh	Taylor	Sun	Staff to answer Director Hsueh's DCP participation questions.	02/24/25		

# **INCOMING BOARD CORRESPONDENCE**

Board Correspondence (open)

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
C-25-0032	02/12/25	02/13/25	All	ALEK UNKNOWN	Email from Alek, to Director Ballard, dated 02/12/25, writing about the unsafe conditions along Los Gatos Creek Trail.	Refer to Staff	Hakes	Bilski Codianne	02/21/25	-	n/a	02/27/25
C-25-0034	02/14/25	02/14/25	All	DANNY GARZA	Email from Danny Garza to the board, dated 02/14/25, providing images that reflect the flooding caused by downed branches and trees in the waterways.	Refer to Staff	Hakes	Codianne	02/22/25	02/19/25	n/a	02/28/25
C-25-0035	02/17/25	02/18/25	All	HELEN BROCK	Email from Helen Brock to the board, dated 02/17/25, Reporting that the current status of Alamos Creek poses a fire risk and inquiring about plans to clear it.	Refer to Staff	Hakes	Codianne	02/26/25	-	n/a	03/04/25

**From:** [Olfa Hamdi](#)  
**To:** [Board of Directors](#)  
**Cc:** [John Varela](#)  
**Subject:** Improving Valley Water's CIP Delivery - Introduction via Dr. Saad, Morgan Hill  
**Date:** Wednesday, February 12, 2025 6:28:19 PM  
**Attachments:** [Hamdi \(2\).png](#)

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Dear Valley Water Board Members,

I am writing at the suggestion of Dr. Alie Saad, a resident of Morgan Hill, who recommended I reach out regarding your FY 2026-2030 Capital Improvement Program.

Dr. Saad is very familiar with my contributions to capital improvement programs on an International level to conglomerates and to Government agencies. My company is a USA-registered company. After discussing Valley Water's infrastructure initiatives with Dr. Saad, he encouraged me to share how my expertise could benefit your community's critical water projects.

As the co-inventor of **Advanced Work Packaging (AWP)**, developed at the University of Texas at Austin and the Construction Industry Institute (CII), I've dedicated my career to solving these exact challenges. The impact of AWP on the construction industry has been so significant that I was granted U.S. citizenship through the Extraordinary Ability and National Interest program in recognition of this innovation.

Your commitment to maintaining Santa Clara County's water infrastructure, particularly with projects like the Anderson Dam Seismic Retrofit and the Rinconada Water Treatment Plant upgrade, presents complex challenges in terms of scheduling, cost control, and coordination.

AWP, as a project planning and coordination method, has demonstrated remarkable success in major infrastructure projects, consistently delivering:

- On-time and on-budget project completion
- Zero recordable safety incidents
- No major late changes
- No claims or disputes
- Improved stakeholder communication and transparency
- Enhanced resource efficiency and cost control

The methodology achieves these results through:

- Systematic breakdown of complex projects into manageable work packages
- Early constraint identification and removal
- Integrated planning across engineering, procurement, and construction
- Clear accountability and performance metrics

Given that you're entering a 60-day public review period for your CIP, I would welcome the opportunity to present in-person to your board or relevant departments how AWP could benefit your projects and how our work could empower your teams to better deliver those projects.

I can share specific examples of how this methodology has helped similar infrastructure projects achieve these outcomes.

Thank you for considering this introduction. I look forward to the possibility of discussing how AWP could support Valley Water's important mission.

Sincerely,

Olfa Hamdi

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**OLFA HAMDI**

*Concord® CEO*

+1(650) 398-6626

1900 S. Norfolk St., Suite 350,  
San Mateo, CA, 94403

tconglobal.com

**From:**  
**To:** [Board of Directors](#)  
**Subject:** FW: Attention Needed - Urgent Issue Homeless Encampment (Los Gatos Creek - Willow Glen)  
**Date:** Thursday, February 13, 2025 9:05:19 AM

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**From:** Admin Account [REDACTED]  
**Sent:** Wednesday, February 12, 2025 7:12 PM  
**To:** Shiloh Ballard <[SBallard@valleywater.org](mailto:SBallard@valleywater.org)>  
**Subject:** Attention Needed - Urgent Issue Homeless Encampment (Los Gatos Creek - Willow Glen)

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Hello,

I am writing to bring urgent attention to the unsafe conditions along Los Gatos Creek Trail (Near Willow Glen) due to the growing number of homeless encampments, drug use, and violence. This situation has escalated into a serious public safety and health hazard that requires immediate action.

Here is the specific location, you can go half a mile either way and continuously see either homeless camping or trash all throughout the creek (it's very sad what our wonderful city has turned into) - (37.3027585, -121.9178984)

There have been physical altercations witnessed in the area and it is no longer safe to walk, and my own mother feared for her life while walking with my young daughter a week ago, which was the last straw for me. The fact that my mother and daughters life was in serious danger is unacceptable. Open alcohol consumption and drug use are common, making the trail unsafe for families, runners, and cyclists. Additionally, the area is littered with trash and hazardous debris, further contributing to its deterioration.

While I understand the complexity of homelessness, the city has a legal and moral obligation to ensure that public spaces remain safe and accessible. I urge your office to take immediate action to:

1. Enforce laws prohibiting camping, open drug use, and public intoxication along the trail.
2. Increase law enforcement presence to prevent crime and restore safety.
3. Conduct regular and continuous thorough cleanups to remove trash, hazardous waste, and encampments (this needs to be a #1 priority).

This issue cannot be ignored any longer. The residents of San Jose deserve a city where they can safely enjoy public spaces without fear. I look forward to your response on how you plan to address this matter.

The cost of living is too high for such a low quality of life.

I hope to see this prioritized and immediate action taken.

Best Regards,

Alek

2/7/2025

**Dear Valley Water,**

**Thank you for all you do for protecting our waterways throughout San José and all of Santa Clara county, even with all of the recent rainstorms. I really appreciate it!**

x Nikolai 

**Nikolai Ivanov,  
age 10**

**p.s. Thanks for the calendar you sent me last year.**

**From:** [Danny Garza](#)  
**To:** [Ricardo Barajas](#); [Board of Directors](#)  
**Subject:** Branches in the Creek that need to be removed  
**Date:** Friday, February 14, 2025 8:42:11 AM

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Honorable Santa Clara Valley Water District Board of Directors,

I want to present to images I took yesterday before the big rain last night.

These images directly relate, and accurately reflect, the flooding that was caused by downed Branches and Trees, in our "Waterways".

The Plata Arroyo Neighborhood Association and Gateway East N.A.C. has always been on the lookout for troubled issues on Lower Silver Creek, especially near Plata Arroyo Park.

Last night Flooding occurred on Lundy Avenue, just 3 Stoplights to the North of Plata Arroyo Neighborhood and Park on Lundy and King Road.

Here is our images of Branches that need to be removed before any Higher Water Level pulled these trees into Lower Silver Creek and cause possible blockages or Dams in Lower Silver Creek or Coyote Creek.











As the Water level get Higher, there is no telling if the branches will pull whole trees into the Creek because the Soils are wet and less able to hold back the roots of these dead trees.

Especially with these UNHOSED CAMPS on Water District Property





The City did remove CAMPS further upstream from here, but decided this was out of the City Property inside the Creek Banks.

We might have made it through this storm, but what about the next time.

Thank you for all of the positive Protections you give our Families.

In Community Spirit,  
Danny Garza

President  
Plata Arroyo Neighborhood Association and Gateway East N.A.C.

[Yahoo Mail - Email Simplified](#)

**From:** [jorjapeach2](#)  
**To:** [Board of Directors](#)  
**Subject:** Deferred maintenance Los Alamitos Creek...time sensitive!  
**Date:** Monday, February 17, 2025 2:12:42 PM

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Attn: Board of Directors

I have reviewed your website and am aware of your policy of allowing vegetation IN THE CREEK to remain in its natural state. However, there is an abundance of dead fuel all along the trail that is NOWHERE near the creek bed. In its current state it presents a danger to surrounding homes similar to the recent Altadena fire in southern california if it is not removed before the dry season. Please advise your plans to clear it this year.

Sincerely,  
Helen Brock  
40-year Almaden resident  
Founder Beautify Almaden

Sent from my Verizon, Samsung Galaxy smartphone

## PENITENCIA NEIGHBORHOOD ASSOCIATION



Date: February 8, 2025

P.O. Box 610903  
San Jose, CA  
95161-0903

ESUHSD Facilities, Planning & Maintenance Operations  
Attn: Matt Sidlauskas, Dir Facilities Maintenance & Operations  
830 N Capitol Ave  
San Jose, CA 95133-1316

- Reference:
- 1) ESUHSD Capital Planning and Development Office, located at 830 N. Capitol Ave., San Jose, CA
  - 2) Supreme Court of the United States, City of Grants Pass, Oregon v. Johnson et al, Certiorari to the US Court of Appeals for the Ninth Circuit, No. 23-175, Decided June 28, 2024.
  - 3) California Governor Newsom Executive Order N-1-24, Subject: Removal of Homeless Encampments from State Property, date: July, 24, 2024.
  - 4) California Law, Civil Code. CIV, Division 4. General Provisions, Part 3. Nuisance, Title 2. Public Nuisances

Subject: Abating Homeless Encampments on East Side Union High School District Property

Dear Mr. Sidlauskas,

As a representative of the Penitencia Neighborhood Association (PNA) Board of Directors, in conjunction with multiple Berryessa community neighborhood associations and community members, we request that ESUHSD abate the public nuisance homeless encampments on the ESUHSD property adjacent to the Penitencia Creek, ref-(1). We as a community, find these homeless encampments to be a public nuisance and they are authorized to be abated per ref-(2), ref-(3) and ref (4). Request that you address this safety/nuisance concern for our community or provide justification as to why no action is required and confirm ESUHSD facility is following all applicable Federal, California state law and City of San Jose municipal codes relating to this concern.

Below is a photo of the nuisance homeless encampments, see photo 1.



Photo 1 – ESUHSD Homeless Encampments

The Penitencia Neighborhood Association, Beautify Berryessa Neighborhood Association and community members would like to thank you in advance for your understanding of the situation and your support to rectify the nuisance. If there is anything we as community can do to help with this issue, please let me know. If you would like to meet, let me know. We are reasonable people seeking reasonable solutions to complex problems.

Thank you in advance.

Michael E Kraus  
President – Penitencia Neighborhood Association  
Cell: [REDACTED]

Cc

- ESUHSD Board of Trustee President - Pattie Cortese
- ESUHSD Superintendent - Glenn Vander Zee
- CSJ Mayor – Matt Mahan
- CSJ District 4 Councilmember – David Cohen
- Valley Water Director – Richard Santos
- CSJ Parks, Recreation & Neighborhood Services Director – Jon Cicirelli
- SCC Parks and Recreation Director – Joseph Aguilera
- California Assembly Member District 24 – Alex Lee
- Santa Clara County District-3 Supervisor – Otto Lee
- PNA Board Members
- Beautify Berryessa Neighborhood Association Board Members
- Berryessa Community members at large

# **OUTGOING BOARD CORRESPONDENCE**

**From:** [Candice Kwok-Smith](#) on behalf of [Board Correspondence](#)  
**To:** [Christopher Hakes](#); [Lisa Bankosh](#); [Heather Williams](#)  
**Cc:** [Max Overland](#); [Board of Directors](#)  
**Subject:** FW: Request for Status Update - Arroyo Way Properties  
**Date:** Sunday, February 16, 2025 10:20:54 AM

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Good morning,

C-25-0029 has been approved, sent and closed.

Thanks,  
Candice

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**From:** Shiloh Ballard <[SBallard@valleywater.org](mailto:SBallard@valleywater.org)>  
**Sent:** Friday, February 14, 2025 11:26 PM  
**To:** Jeffrey Hare [REDACTED]  
**Cc:** Arroyo Way [REDACTED]; Candice Kwok-Smith <[ckwok-smith@valleywater.org](mailto:ckwok-smith@valleywater.org)>  
**Subject:** Re: Request for Status Update - Arroyo Way Properties

Hey Jeff,

Thanks for contacting me about the Valley Water-owned properties on Arroyo Way. I checked in with staff and was told that upon completion of the project, our Real Estate staff will conduct an analysis of the current and future operational needs of the properties. If Real Estate staff confirm that the properties are excess (fee title ownership is not required for Valley Water operational purposes), staff will recommend the board consider disposing (selling or transferring) of the properties in accordance with the District Act and the State of California Surplus Lands Act requirements.

In the meantime, Creative Security and BrightView Landscape Services will continue to monitor and maintain the properties until a final disposition plan is developed and implemented, anticipated within 6 months of the conclusion of the Project.

Given where things are at, it likely makes sense to have a conversation with real estate staff at the District. I'd be happy to help facilitate and have included Candice Kwok-Smith on the email to help get the right people together.

Let me know how you'd like to proceed.

Shiloh

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**From:** Jeffrey Hare [REDACTED]  
**Sent:** Thursday, February 6, 2025 12:35:16 PM  
**To:** Shiloh Ballard <[SBallard@valleywater.org](mailto:SBallard@valleywater.org)>  
**Cc:** Arroyo Way [REDACTED]  
**Subject:** Request for Status Update - Arroyo Way Properties

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Director Ballard

This email is a request for an update on the status of the Water District properties located on Arroyo Way (120, 150, 166 and 180). As you may know, the acquisition of these properties and the ensuing construction under Phase I of the FOCP has dragged on for most of the past two years, leaving the other property owners and residents dealing with the challenges of construction, dust, cyclone fencing, porta-potties, and occasional trespassers and alarms. We have learned that the Water District is about to transfer the control of this project to the Real Estate Division for disposition of the properties, and we would like to know what is going to take place. I am copying our Arroyo Way neighbors to allow you an opportunity to "reply to all" as a convenient way to reach the rest of the neighbors.

It was our understanding that when the Water District acquired these properties, the plan was to construct the flood wall, then take steps to sell or rent them. District Staff made it clear that having the homes occupied was the most effective way to ensure that the properties would not be subject to potential encampment issues, trespassers, etc. However, we have not been provided any update or clarification of the District's plans, and with the imminent conclusion of the construction, we feel it is the right time to have a meeting and get the details. Over the past two days, we've experienced a burglar alarm at one of the houses, and a trespasser camping out in another. Creative Security responded to both incidents, but it illustrates the need to continue these patrols, at a minimum.

Other concerns involve the restoration and maintenance of the landscaping, which for the most part has been destroyed or only minimally maintained, in sharp contrast to the dedicated efforts of the previous owners. For most of the past two years, my view of a beautifully maintained vista of a hand-trimmed, sculpted 20+ foot high juniper hedge has been replaced by a cyclone fence and porta-potty sitting on the street surrounded by orange cones. The roofs of at least two of the houses are littered with leaves and needles - a clear fire hazard when it's not raining, which is most of the time.

So, please help us find out what steps we need to take to get answers about what the District plans to do with these properties.

Thank you very much,  
Jeffrey Hare

[REDACTED]

**From:** [Candice Kwok-Smith](#)  
**To:** [Board of Directors](#)  
**Subject:** FW: Water Conservation Technologies  
**Date:** Tuesday, February 18, 2025 8:41:38 AM

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Hi Adelina,

Sorry, I meant to copy “Board of Directors” not you. Please close this out in the system.

Thanks,  
Candice

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**From:** Candice Kwok-Smith **On Behalf Of** Board Correspondence  
**Sent:** Tuesday, February 18, 2025 8:41 AM  
**To:** Emelia Lamas <ELamas@valleywater.org>; Aaron Baker <ABaker@valleywater.org>  
**Cc:** Max Overland <moverland@valleywater.org>; Adelina Del Real <ADelReal@valleywater.org>  
**Subject:** FW: Water Conservation Technologies

Good morning everyone,

C-25-0027 is complete.

Thanks,  
Candice

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**From:** Candice Kwok-Smith **On Behalf Of** Board of Directors  
**Sent:** Tuesday, February 18, 2025 8:39 AM  
**To:** [REDACTED]  
**Subject:** Re: Water Conservation Technologies

**Sent on Behalf of Chair Estremera:**

Dear Harry Tran,

Thank you for your email correspondence and your advocacy for sustainable water conservation practices in Santa Clara County. We greatly appreciate your engagement on this critical issue and share your commitment to advancing innovative solutions to ensure long-term water resilience for our community. Below, we’ve highlighted several of Valley Water’s ongoing efforts to promote sustainable practices to improve water-supply reliability in Santa Clara County:

- 1. Supporting Sustainable Building Practices at a Large Scale**  
Valley Water partnered with local municipalities to develop the Model Water

Efficient New Development Ordinance (MWENDO), a reach code to promote efficient water and energy use. MWENDO includes new requirements for increasing water-use efficiency and using alternative water sources in new developments. For example, dual plumbing is required in new construction to facilitate and maximize the use of alternative water sources (such as graywater, recycled water, rainwater harvesting, etc.). Dual plumbing requirements for single-family homes are specific for graywater reuse for irrigation purposes, meanwhile, dual plumbing requirements for multifamily and nonresidential buildings address additional uses suitable for alternative water sources like toilet flushing and cooling equipment.

While Valley Water is not a land-use agency and cannot enforce building codes, we actively collaborate with local governments and agencies through outreach, technical assistance, and education to encourage MWENDO adoption. Ultimately, the adoption and enforcement of these standards remain at the discretion of local jurisdictions.

## **2. Incentivizing Graywater Systems**

Valley Water supports and advocates for residential graywater system adoption through our [Graywater Rebate Program](#) and by providing [educational resources](#) on our website containing information about the safe installation and use of graywater systems. At either \$200 or \$400 per installed system, Valley Water offers one of the highest graywater incentives in California. We've funded 160 installed graywater systems to date.

For the commercial sector, Valley Water's [Water Efficient Technology Rebate Program](#) provides up to \$100,000 per water-saving project. This program offers significant financial incentives for projects that result in a net reduction in potable water use. This could include projects for buildings to retrofit existing equipment to use less water or to adopt on-site reuse. Examples of past projects are provided in this [story map](#). Valley Water is open to considering new and unique approaches that applicants propose as long as potable water use is reduced.

Additional program offerings and information can be found at [www.watersavings.org](http://www.watersavings.org). Valley Water is committed to invest funding to support water conservation. To ensure that Valley Water remains proactive and effective in our water conservation efforts, staff is consistently evaluating existing programs and researching new potential programs.

## **3. A Multifaceted Approach to Water Scarcity**

Valley Water operates a complex and interconnected water supply system to conjunctively manage local and imported supplies to meet county-wide demand, now and in the future. The [Water Supply Master Plan 2050](#) (in development) has evaluated nearly 20 water supply projects, including water recycling for potable (drinking water) purposes. Valley Water conducts public outreach and tours to ensure that the public understands that potable reuse is a safe and drought resilient local supply. More information can be found at [purewater4u.org](http://purewater4u.org).

Additionally, the Water Supply Master Plan 2050 development includes Board

adoption of the following goals:

A potable reuse goal of 24,000 acre-feet per year (AFY) by 2035 (about 10% of demand). This goal is part of a long-term vision that promotes a phased approach in increasing the use of potable and non-potable reuse, desalination, stormwater capture, and other alternative water sources as part of our water-supply portfolio.

A water conservation savings goal of 126,000 AFY by 2050. This expands upon existing water conservation savings goals of 110,000 AFY by 2040 and 99,000 AFY by 2030, described in greater detail in the [Water Supply Master Plan 2040](#). Graywater reuse and adoption of water-conservation technologies will be critical in achieving these long-term savings goals.

Statewide, California's "[Making Water Conservation a Way of Life](#)" regulatory framework has established Urban Water Use Objectives and requirements for water suppliers to meet within their service areas. These regulations are expected to further encourage graywater, rainwater harvesting, and water conservation technology adoption locally, regionally, and statewide.

Thank you once again for your advocacy for sustainable water conservation practices in our county. Please do not hesitate to contact Kirsten Struve, Assistant Officer of Water Supply at [kstruve@valleywater.org](mailto:kstruve@valleywater.org) should you have any further questions.

Sincerely,



Tony Estremera  
Chair, Board of Directors

C-25-0027

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**From:** Tran, Harry [REDACTED]  
**Sent:** Wednesday, February 5, 2025 11:11 PM  
**To:** Board of Directors <[board@valleywater.org](mailto:board@valleywater.org)>  
**Subject:** Water Conservation Technologies

**\*\*\* This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. \*\*\***

Hello, Santa Clara Valley Water District's Board of Directors,

My name is Harry Tran, a senior at Yerba Buena High School and I'm emailing to advocate the implementation of water conservation technologies on a larger scale. For example, enforcing newly constructed buildings to be designed with technology such as greywater systems and rainwater harvesting through a city

ordinance.

I want to learn about the board's thoughts concerning this matter. I also want to know about current/future solutions to the water conservation issue in the county. As climate change continues to affect our world, I believe that using water conservation technologies will become a precedent in the future. Other countries such as Australia and Japan have already implemented such systems in their water conservation strategies.

Will Santa Clara Valley ever use greywater systems or are there important issues that disable their implementation like budget issues or the "yuck" factor (the influence of instinctive responses against something, in this case, recycled water)?

Respectfully,  
Harry Tran