



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

May 10, 202

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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110	Email from Director Beall to Bob Leonard dated 05/06/24, concerning encampments near Erickson neighborhood.

CEO BULLETIN

CEO BULLETIN



To: Board of Directors
From: Rick L. Callender, CEO

Weeks of April 19 – May 9, 2024

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.

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<u>10</u>	<u>Eisenberg</u> Provide a breakdown of Safe, Clean Water fund and the projects with funds allocated. R-24-0008
<u>11</u>	<u>Beall</u> Provide Director Beall with licensing information on the San Jose Conservation Corp. R-24-0010
<u>12</u>	<u>Beall</u> Provide regular updates to the Board or Board committee on the rehabilitation of the Sunnyoaks Percolation Pond and work with the City of Campbell and the Santa Clara County Fire Department on a resolution R-23-0017

<u>13</u>	<p>Santos Director Santos requested the following regarding Soap Lake: Who owns Soap Lake? What is the history of the lake? Can the water from Soap Lake be used for recycling or flood prevention? What are the environmental issues with Soap Lake? Does it contribute to flooding and if Pacheco Dam were in operation, would the water be stored at Soap Lake?" I-24-0002</p>
<u>14</u>	<p>Keegan Provide Director Keegan with follow up information on the composition of the selection panels utilized for the contracts that we have awarded to AECOM. I-24-0003</p>

1. Annual Report for Sustainable Groundwater Management Act Compliance

Per the Sustainable Groundwater Management Act (SGMA), all basins assigned as medium or high priority by the California Department of Water Resources (DWR) must comply with SGMA. In December 2021, Valley Water submitted the 2021 Groundwater Management Plan for the Santa Clara and Llagas Subbasins to DWR as the first periodic update to the approved Groundwater Sustainability Plan (GSP) Alternative. In January 2022, a GSP for the North San Benito Subbasin (which has small portions in Santa Clara County) was also submitted to DWR by the San Benito County Water District in coordination with Valley Water.

SGMA requires submittal of an annual report on groundwater conditions for the preceding water year by April 1. Valley Water has submitted the Water Year 2023 report for both the Santa Clara and Llagas Subbasins, which covers the time period from October 1, 2022 to September 30, 2023. The report is publicly available at sgma.water.ca.gov/portal/alternative/annualreport/submitted. The report documents continued sustainable groundwater conditions. The San Benito County Water District submitted the Water Year 2023 report for the North San Benito Subbasin, which is available at sgma.water.ca.gov/portal/gspar/submitted. Valley Water will notify interested parties of the availability of these annual reports.

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

2. Enterprise Resource Software Costs

The following list is in response to Director Eisenberg's request regarding the total annual expenditures for Valley Water's Enterprise Resource Planning Software (ERP). The tables below comply with SB 272 (2015), which defines Enterprise Software. The list below includes current vendors, software descriptions, and costs. For internally developed software, there are no annual fees. The total yearly cost for listed solutions is \$2,997,947.

- Infor Enterprise Resource Planning: \$540,907
- Microsoft Document Management, Email, Calendar, Communications: \$460,180
- Salesforce Customer Relationship Management (CRM): \$369,300
- Projectmates Project Management Information System: \$302,240
- IBM Asset and work management: \$235,000
- PlanetBids Public Bidding and Contract Development: \$191,995
- Egnyte Document Management: \$169,231
- Vena Solutions, used for tracking budget information for projects: \$124,685
- Crestline Software, billing program for well fees: \$124,167

- Esri, Geographic Information Systems (GIS): \$117,808
- Asana, Project Management: \$110,413
- Cityworks, water production and consumption: \$54,300
- Granicus, Board information management: \$53,687
- Hyland, Document Management: \$40,856
- Questys Solutions, repository for Clerk of the Board-related documents: \$38,706
- NeoGov, job information: \$28,283
- iTron, water production and consumption, meter information: \$18,144
- Cuadra, hardcopy records: \$13,195
- Extensis, catalogs and indexes digital and non-digital photographs: \$4,850

Application, Cost (3rd Party, Developed In-House):

- Radio stream, precipitation, and reservoir gage data: \$0
- Documents related to the District's Water Resources Protection Ordinance: \$0
- Tracks water rebate data: \$0
- Content Management System (CMS) for District's internal and external web sites: \$0
- Ecological data: \$0
- Catalog of engineering drawings, maps, and other oversize graphical documents: \$0
- Watershed inspection photos and information: \$0
- District's property transactions: \$0
- Regulatory compliance system that generates reports on proposed and completed work: \$0
- Automated treated water monthly billing process: \$0
- Descriptions of all county elevation points: \$0
- Track rebate applications: \$0
- Well registration, water production, and groundwater management: \$0
- Parcel information used for tax revenue collection: \$0
- Water production and consumption: \$0
- Document Management: \$0

For further information, please contact Cecil Lawson at (408) 630-2424.

3. Fourth Pass Proposed FY 2024-25 & 2025-26 Operating and Capital Rolling Biennial Budget Operations, operating and debt project detail pages

At the April 24, 2024, special Board meeting, Directors Eisenberg and Beall requested to see a Detailed Budget, which shows line-item budget detail by project. Staff has prepared the file and, due to the large size of the file, has posted it at the following Valley Water website location to facilitate easiest reference: <https://www.valleywater.org/how-we-operate/finance-budget>. In addition, a hard copy will be made available for Board reference at the May 14, 2024 Board meeting.

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

4. Legislative Analyst Office Excess ERAF Report

At the April 23 Board Meeting, Director Beall requested staff distribute to the Board a 2020 Legislative Analyst's Office (LAO) report on Excess Educational Revenue Augmentation Fund (ERAF). Staff have provided the report to the Board in the Non-Agenda packet for May 10, 2024.

For further information, please contact Marta Lugo at (408) 630-2237.

5. List of Operations and Maintenance (O&M) Contracts

At the April 24, 2024, Special Board Meeting, Director Beall requested a listing of operations and maintenance (O&M) contracts to be provided to him, to include the number of O&M contracts, dollar amounts and the manner in which the contracts were approved. A response to this request, containing a listing of 165 active O&M contracts, has been included in the May 10, 2024 Non-Agenda packet.

For further information, please contact Tony Ndah at (408) 630-2208.

6. Permanente Flood Protection Project Letter of Map Revision Update

Valley Water, Santa Clara County, and the cities of Mountain View, Los Altos and Cupertino jointly filed a Letter of Map Revision (LOMR) application with the Federal Emergency Management Agency (FEMA) on April 18, 2022 to change the FEMA 100-year floodplain area to reflect the recently-completed flood protection projects on Permanente Creek. A LOMR is FEMA's vehicle for changing their Flood Insurance Rate Maps (FIRM); parcels located within the 100-year floodplain on the FIRM are required to purchase flood insurance if they carry federally-backed loans. The draft FIRM, which show the post-projects FEMA floodplain, were approved by FEMA on April 24, 2024. If no appeals are filed before September 5, 2024, proposed maps become effective on that date.

The main change to the FIRM is to remove floodplain areas that would flood to a depth of one foot or greater due to over-banking of Permanente Creek during a 100-year flow event. After the map changes become effective, property owners in these areas will be able to remove the requirement for holding flood insurance. As a result of Valley Water's flood protection projects on Permanente Creek, it is estimated that approximately 1,000 parcels will be removed from the FEMA floodplain, with approximately an additional 2,000 parcels removed from areas with 100-year risk of flooding to depths of less than one foot, while only 2 new parcels had to be added to the floodplain.

Valley Water is currently working on outreach to property owners to help them figure out next steps:

- 1) Letters will be sent to affected property owners, providing information about the LOMR, website resources, and contact information for affected communities and Valley Water staff.
- 2) A website is being developed with information about how to remove the flooding insurance requirement from qualifying properties which have been removed from FEMA's 100-year floodplain.

For further information, please contact John Bourgeois at (408) 630-2990.

7. 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. The following is information through April 30, 2024.

Valley Water Staffing Levels:

- 921 - Total Positions
- 845 - Number of positions filled
- 76 - Total Vacant positions
- 8% - Current Vacancy Factor
- 5 – Separations in April 2024

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

8. Valley Water's public meetings on the Coyote Creek Flood Protection Project

On April 17 and 18, 2024, Valley Water hosted the Coyote Creek Flood Protection Project (Phase 2) community meetings to update neighbors on the project's various design measures and their location to reduce flood risks. The April 17 meeting was hybrid and held at the Roosevelt Community Center, with 19 in-person attendees and 11 participating virtually.

The April 18 event was virtual only, and 32 participants joined via Zoom. Director Estremera welcomed attendees and kickstarted a project presentation on the project's current design elements. Vice Chair Santos and Director Keegan also participated. Staff from elected representatives and a City of San José's Parks, Recreation, and Neighborhood Services representative attended both meetings. Spanish and Vietnamese interpreters were also available at both meetings to offer their services.

A question-and-answer session followed the presentation, where staff engaged with the community. An update on the Coyote Creek Flood Management Measures (Phase 1) was also given.

A link to the recording of the public meeting is available on the project website and Valley Water's YouTube channel.

For further information, please contact Donald Rocha at (408) 630-2338.

9. Water Conservation Infographic

To implement guiding principles in the Board's resolution to make water conservation a way of life in Santa Clara County (Resolution 23-52), an infographic visualizing current residential program offerings was developed and made accessible at <https://www.valleywater.org/water-conservation-infographic>. The interactive infographic features a single-family home with standard water-using fixtures and appliances as well as an Accessory Dwelling Unit (ADU). The graphic includes numbered features to access information about relevant Water Conservation programs such as the Landscape Rebate Program, Online Shopping Cart Program, Water Wise Outdoor Survey Program, and more. The goal of the infographic is to educate the public and promote water conservation by comprehensively illustrating various Valley Water resources and programs that customers can utilize within their homes and landscapes and to make water conservation easier and more accessible to all Santa Clara County residents, including disadvantaged communities.

This marks an additional effort to develop digital educational outreach tools to share program information with the public, similar to the [Water Efficient Technology \(WET\) Rebate Program's story map](#) featuring successful commercial, industrial, and institutional WET rebate projects.

For further information, please contact Kirsten Struve at (408) 630-3138.

10. Eisenberg

**Provide a breakdown of Safe, Clean Water fund and the projects with funds allocated.
R-24-0008**

Director Eisenberg requested that staff provide information on the Safe, Clean Water Fund and the projects funded. A response was provided in the April 26, 2024 Non-Agenda packet.

For further information, please contact Luz E. Penilla at (408) 630-2228.

11. Beall

**Provide Director Beall with licensing information on the San Jose Conservation Corp.
R-24-0010**

Valley Water began using the San Jose Conservation Corps (SJCC) in 1988, shortly after it was formed. During the period between 1988 and 2000, the SJCC was used on an as needed basis for work projects on our facilities and for emergency support during winter storm events.

During the period of 2000-2010, with additional funding from the Clean Safe Creeks program, Valley Water entered into an agreement with the SJCC to support a full-time crew throughout the year. Included in this agreement was the utilization of SJCC interns to support various Valley Water services such as the recycling program, vegetation management, fleet, and the warehouse.

There is a California state requirement that states that anyone who contracts to perform work that is valued at \$500 or more in combined labor and materials costs must hold a current, valid license from Contractors State License Board (CSLB) (please see the following [LINK](#)).

CSLB has several classifications, and we select the license required based on what aligns best with the proposed work. For the contract that was held from 2000-2010, a C27 license was required to perform vegetation management activities. After the 2010 contract was issued, SJCC did not renew their C27 license and became ineligible to bid on this agreement.

Currently, SJCC has a valid C27 license and has two active agreements on file with Valley Water:

- Contract No. 10106 - D3 Grant Program SCVWD/SJCC Invasive Plant Removal and Revegetation (AG19A4256) is valid until 14 May 2024.
- Purchase Order No. 121714 to assist with EOC sandbag fill valid through 30 June 2024.

Valley Water has been a long-time supporter of the SJCC. This support will continue to the maximum extent possible allowing for a balance between required reductions and required work outcomes.

For further information, please contact Jennifer Codianne at (408) 630-3876.

12. Beall

**Provide regular updates to the Board or Board committee on the rehabilitation of the Sunnyoaks Percolation Pond and work with the City of Campbell and the Santa Clara County Fire Department on a resolution
R-23-0017**

Valley Water continues to proactively respond to Per- and Polyflouroalkyl Substances (PFAS) (often called forever chemicals), a large group of persistent chemicals widely used in consumer and industrial products. While no widespread water supply impacts have been identified, a number of water retailer wells are affected. Due to impacted wells nearby, the San Francisco Bay Regional Water Quality Control Board (Water Board) requested testing at the Sunnyoaks Fire Station and McCormack Training Center, which is operated by the Santa Clara County Fire Department (County Fire) on land owned by the City of Campbell (City). County Fire testing in 2022 indicated PFAS are present in onsite monitoring wells, soil, and Valley Water's Sunnyoaks Recharge Pond 1 (located between the fire station and training center). Based on the results, Valley Water temporarily ceased operations at the Sunnyoaks Recharge Ponds in fall 2022.

Valley Water's voluntary testing of the larger Los Gatos Recharge System in spring 2023 indicated the water currently used for recharge in the ponds is not a source of PFAS. With these results and the need for continued recharge, Valley Water resumed operations in three of the Sunnyoaks Ponds. Pond 1 remains temporarily offline out of an abundance of caution until adequate testing has been completed in coordination with County Fire and the City.

In 2023, Valley Water and the Water Board requested additional testing at the site, including the runoff entering Pond 1. A sampling plan developed by Valley Water in coordination with County Fire and the City was recently finalized. Staff from the three agencies met on April 15, 2024 to discuss sampling details, with sampling expected to occur in May 2024.

Valley Water will continue to explore the threat posed by PFAS and to keep the Board updated.

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

13. Santos

Director Santos requested the following regarding Soap Lake: Who owns Soap Lake? What is the history of the lake? Can the water from Soap Lake be used for recycling or flood prevention? What are the environmental issues with Soap Lake? Does it contribute to flooding and if Pacheco Dam were in operation, would the water be stored at Soap Lake?"
I-24-0002

The response for I-24-0002 is included in the Board's May 3, 2024 Non-Agenda package.

For further information, please contact Lisa Bankosh at (408) 630-2618.

14. Keegan

Provide Director Keegan with follow up information on the composition of the selection panels utilized for the contracts that we have awarded to AECOM.
I-24-0003

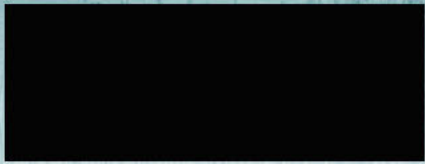
The response to I-24-0003 is included in the board's April 26, 2024 Non-Agenda package.

For further information, please contact Tony Ndah at (408) 630-2208.

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
I-24-0004	04/30/24	Santos	Hakes	Infante Bourgeois	Director Santos asked if we own any land that is currently zoned or can be zoned for residential apartments?	05/20/24		
R-24-0008	04/09/24	Eisenberg	Baker	Penilla	Provide a breakdown of Safe, Clean Water fund and the projects with funds allocated.	05/06/24		04/26/24 Non-Agenda: responded on 4/26/24 non agenda; 04/24/24 Non-Agenda: Responded on 4/26/24 non-agenda.
R-24-0010	04/24/24	Beall	Hakes	Codianne	Provide Director Beall with licensing information on the San Jose Conservation Corp.	05/22/24		



A monthly assessment of trends in water supply and use for Santa Clara County, California

Outlook as of May 1, 2024

On April 23, 2024, the California Department of Water Resources announced an increase in State Water Project (SWP) allocation from 30% to 40% of contract amount for 2024. On April 24, 2024, the U.S. Bureau of Reclamation (Bureau) announced an increase to the 2024 south-of-delta Central Valley Project (CVP) agricultural allocation from 35% to 40%; however, the Bureau kept the Municipal and Industrial (M&I) allocation at 75% of historic M&I. On June 13, 2023, the Board of Directors adopted a resolution to support water conservation as a way of life and an ordinance with a set of permanent water waste prohibitions for Santa Clara County.

Weather

- Rainfall in San José:
 - » Month of April, City of San José = 0.98 inches
- Rainfall year total = 14.76 inches or 108% of average to date (rainfall year is July 1 to June 30)
- April 30 Northern Sierra snowpack was 111% of normal for this date

Local Reservoirs

- Total May 1 storage = 61,902 acre-feet

Reservoir Storage	All Ten Valley Water Reservoirs	All Reservoirs Except Anderson
Storage as % of unrestricted capacity	37%	76%
Storage as % of restricted capacity (1)	99%	98%
Storage as % of the 20-year average for May 1	63%	119%

(1) Per the Federal Energy Regulatory Commission’s order, the capacity of Anderson Reservoir was restricted to the deadpool storage as of October 1, 2020

- No imported water was delivered into Calero Reservoir during April 2024
- Total estimated releases to streams (local and imported water) during April were 15,630 acre-feet (based on preliminary hydrologic data)

Treated Water

- Below average demands of 4,540 acre-feet were delivered in April
- This total is 67% of the five-year average for the month of April
- Year-to-date deliveries are 14,800 acre-feet or 65% of the five-year average

Groundwater

- Groundwater conditions remain healthy throughout the county. Groundwater levels in all regional monitoring wells except one are equal to, or higher than, last month. Most water levels are higher relative to April 2023, and all are higher than the prior five-year average for April. The end of 2024 groundwater storage is projected to be in Stage 1 (Normal) of the Water Shortage Contingency Plan

	Santa Clara Subbasin		Llagas Subbasin
	Santa Clara Plain	Coyote Valley	
April 2024 managed recharge estimate	5,500	1,600	2,300
YTD managed recharge estimate	24,000	4,800	5,700
YTD managed recharge as % of five-year average	147%	117%	99%
March 2024 pumping estimate	5,000	800	1,400
YTD pumping estimate	14,800	2,400	4,300
YTD pumping as % of five-year average	117%	106%	87%
Current index well groundwater levels compared to April 2023	3 Feet Higher	4 Feet Lower	3 Feet Higher

All volumes are in acre-feet. All data is for 2024 except where noted. YTD = Year-to-date.

Imported Water

- In April (through April 29th), the SWP operated Banks pumping plant with an average daily export of 2,659 acre-feet, resulting in a total export of 77,109 acre-feet from the Sacramento-San Joaquin Delta for the month
- In April (through April 29th), the CVP operated Jones pumping plant with an average daily export of 2,107 acre-feet, resulting in a total export of 61,117 acre-feet from the Sacramento-San Joaquin Delta for the month
- Multiple fish protection thresholds were triggered at the Sacramento-San Joaquin Delta export facilities this winter/spring. The most limiting export restriction remained in effect for both the SWP and CVP through April 30th

WY 2024 Imported Water Allocations	Allocation	Allocation (acre-feet)	Details
SWP	40%	40,000	Allocation increased on 4/23/24
CVP	40% Ag 75% M&I	Approximately 110,000	Allocation increased on 4/24/24
State-wide Reservoir Storage	Capacity	Current Storage (acre-feet)	Average for Date (as of 4/30/24)
Shasta Reservoir	96%	4,360,898	114%
Oroville Reservoir	97%	3,444,579	126%
San Luis Reservoir	70%	1,434,868	85%
Semitropic Groundwater Bank	Capacity	Current Storage (acre-feet)	Date of Data
	82%	286,084	3/31/24
Estimated SFPUC Deliveries	March 2024 (acre-feet)	2024 Total to Date (acre-feet)	Five-Year Annual Average (acre-feet)
	3,091	8,769	47,000

Conserved Water

- Saved 83,174 acre-feet in FY23 through Valley Water's long-term conservation program (baseline year is 1992)
- Long-term program goal is to save nearly 100,000 acre-feet by 2030 and 110,000 acre-feet by 2040
- On June 13, 2023, the Board of Directors adopted a resolution to support water conservation as a way of life in Santa Clara County and an ordinance with a set of permanent water waste prohibitions

Recycled Water

- Estimated April 2024 production = 1,137 acre-feet
- Estimated year-to-date through April = 3,498 acre-feet or 97% of the five-year average
- Silicon Valley Advanced Water Purification Center produced an estimated 1.5 billion gallons (4,493 acre-feet) of purified water in 2023. Since the beginning of 2024, about 1,085 acre-feet of purified water has been produced. The purified water is blended with existing tertiary recycled water for South Bay Water Recycling Program customers

CONTACT US

To find out the latest information on Valley Water projects or to submit questions or comments, email info@valleywater.org or use our **Access Valley Water** customer request system at <https://deliver.com/2yukx>.



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TO: Rachael Gibson, Chief of External Affairs**FROM:** Marta Lugo, Deputy
Administrative Officer**SUBJECT:** Excess Educational Revenue
Augmentation Funds (ERAF) Information**DATE:** April 30, 2024

At the April 23 Board Meeting, Director Beall requested staff distribute to the Board a 2020 Legislative Analyst's Office (LAO) report on Excess ERAF. Attached is the 16-page report which makes the case for the Governor's proposal to shift Excess ERAF funds to charter schools to cover the state's constitutional school funding obligations.

Unfortunately, the LAO report omits significant information regarding the 2004 agreement between the Administration, the Legislature, and local governments that placed Proposition 1A on the November 2004 ballot. Proposition 1A was a constitutional amendment overwhelmingly approved (83%) by the voters, which requires the state to repay borrowed local government taxes within three years and makes shifting Excess ERAF to charter schools illegal. Since the LAO report was written, a State Controller guidance to counties as well as trial and appeals court rulings have found that the Excess ERAF shift to charter schools is unlawful.

Article XIII, Section 25.5 of the California Constitution states that, subject to exceptions not applicable in this instance, the Legislature shall not enact any statute that would reduce the percentage of ad valorem property revenues going to local agencies. Furthermore, the 3rd District Court of Appeal determined in *California School Boards Association v. Cohen* (2023 WL 4853693) that charter schools cannot receive ERAF dollars. Constitutional law and court decisions should be enough to deter the state from proceeding with the funding of charter schools with ERAF funds but due to the severity of the budget shortfall they are seeking this option which would take funding away from Valley Water's critical flood risk reduction projects and other programs.

As an independent special district, Valley Water uses our ad valorem property tax revenue to carry out our mission, shifting the ERAF dollars to charter schools does not actually provide more funding for education, it simply substitutes state tax dollars with local tax dollars at the expense of local government.



Marta M. Lugo
Deputy Administrative Officer
Offices of Government Relations and REDI

Attachments:

1. Valley Water Letter
2. Santa Clara County Excess ERAF Letter
3. Santa Clara County Excess ERAF 1-Pager
4. 2020 LAO Report on Excess ERAF

April 16, 2024

The Honorable Scott Wiener
Chair, Senate Budget Committee
1020 N Street, Room 502
Sacramento, CA 95814

The Honorable Jesse Gabriel
Chair, Assembly Budget Committee
1201 O Street, Suite 8214
Sacramento, CA 95814

The Honorable Steve Padilla
Chair, Senate Budget Subcommittee No. 4
1020 N Street, Room 502
Sacramento, CA 95814

The Honorable Sharon Quirk-Silva
Chair, Assembly Budget Subcommittee No. 5
1201 O Street, Suite 8214
Sacramento, CA 95814

RE: Governor’s Proposed Budget: Charter School Funding with ERAF Dollars - OPPOSE

Dear Chairs Wiener, Gabriel, Padilla, and Quirk-Silva:

In the Governor’s [January Budget Summary](#) (Pages 17-18), the Administration proposes to fund charter schools by taking from counties, cities, and special districts excess Education Revenue Augmentation Fund (ERAF) dollars. These funds are constitutionally protected; the State Controller has determined that charter schools are not entitled to excess ERAF dollars; and the 3rd District Court of Appeal determined in *California School Boards Association v. Cohen* (2023 WL 4853693) that charter schools cannot receive ERAF dollars. The Santa Clara Valley Water District (Valley Water) opposes the use of ERAF dollars for this purpose because it would directly reduce funding allocated to our agency for the purposes of flood protection, water supply, groundwater management, subsidence prevention, and the environmental stewardship of creeks and streams.

Article XIII, Section 25.5 of the California Constitution states that, subject to exceptions inapplicable here, the Legislature shall not enact any statute that would reduce the percentage of ad valorem property revenues going to local agencies. Constitutional law should be enough to deter the state from proceeding with the funding of charter schools with ERAF funds. However, in case it isn’t, there’s the State Controller’s determination and rulings by both a trial court and an appellate court affirming that ERAF dollars cannot be used to fund charter schools.

As an independent special district, Valley Water uses our ad valorem property tax revenues, including excess ERAF, to provide critical natural resources services for the two million people and thousands of job-creating Silicon Valley businesses in Santa Clara County. The Santa Clara Valley is a natural flood plain with flashy, flood prone creeks and a history of both catastrophic flooding and serious land subsidence from historic groundwater overdraft. Our region could not survive without the critical water supply, flood protection, and ground water management that is funded by ad valorem property tax.



The Honorable Legislative Budget Committee Chairs

Page 2

April 16, 2024

The idea that vital human health and safety services should be cut so the state can fund charter schools is seriously flawed. The funding shift wouldn't even result in additional funding for charter schools or school districts, but it would compromise vital county, city, and special district services.

The Santa Clara Valley Water District urges you and your Budget Committee colleagues to reject the proposal to use excess ERAF dollars to fund the state's charter school funding obligations.

Sincerely,

A handwritten signature in blue ink that reads "Bart Broome". The signature is written in a cursive, flowing style.

Bart Broome

Assistant Officer for State Government Relations

Attachments: February 2, 2024, Letter from the Office of the County Executive, County of Santa Clara
Fact Sheet: Impacts of Re-Directing Excess ERAF from Counties

CC: Senate President pro Tempore, Mike McGuire
Assembly Speaker, Robert Rivas
Members of the Senate and Assembly Budget Committees
Santa Clara County Legislative Delegation

COUNTY OF SANTA CLARA

OFFICE OF THE COUNTY EXECUTIVE

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JAMES R. WILLIAMS
COUNTY EXECUTIVE

February 2, 2024

The Honorable Dave Cortese
California State Senate
1021 O Street, Room 6630
Sacramento, CA 95814-4900

Re: Governor's Proposed Budget: Charter School Eligibility for Education Revenue Augmentation Funds—OPPOSE

Dear Senator Cortese:

On behalf of the County of Santa Clara, I write to oppose the Governor's budget proposal to "clarify" that charter schools are eligible to receive Education Revenue Augmentation Funds (ERAF).¹ Unfortunately, the Governor's current Excess ERAF Proposal is the latest in a series of misguided attempts by the Department of Finance (DOF) to strip local governments' constitutionally protected funds that are essential for the maintenance of critical local safety net programs and services. While we are mindful of the need to close the State's budget gap, this proposal would do so at the expense of vulnerable communities without any offsetting benefit to charter schools.

ERAF allocations are constitutionally protected

Faced with a fiscal crisis in 1992, the Legislature, seeking to meet State minimum funding obligations under Proposition 98, required local governments to divert a portion of their property tax revenues to ERAF. Under this scheme, once school funding levels are met, any remaining funds—"excess ERAF"—are returned pro rata to the county, cities, and special districts that contributed their property taxes to ERAF.

However, to satisfy the State's school funding obligations, the Legislature periodically mandated further ERAF shifts, wreaking havoc on local government budgets.

¹ *Governor's Budget Summary—2024-25*, p. 18, available at <https://ebudget.ca.gov/2024-25/pdf/BudgetSummary/FullBudgetSummary.pdf>.



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In 2004, to spare local governments from this volatility, the Legislature and Administration agreed to a ballot measure—Proposition 1A—that was adopted by 83.7 percent of the voters. That measure prohibits the Legislature from “*reduc[ing] for any fiscal year the percentage of the total amount of ad valorem property tax revenues in a county that is allocated among the county, cities, and special districts in that county below the percentage of the total amount of those revenues that would be allocated among those agencies for the same fiscal year under the statutes in effect on November 3, 2004.*”²

The Legislative Analyst’s ballot summary stated that the measure “[e]nsures local property tax and sales tax revenues remain with local government thereby safeguarding funding for public safety, health, libraries, parks, and other local services.”³ “Proposition 1A was intended to prevent the Legislature from statutorily reducing the existing allocations of property taxes among cities, counties, and special districts. In essence, it was intended to stop the periodic ERAF shifts of property tax revenues from local agencies to satisfy the State’s school funding obligations.”⁴

Yet this is precisely what DOF has been attempting for years. One of DOF’s recent attempts was to erroneously assert that excess ERAF decreases school funding statewide and to support the California School Boards Association in its lawsuit challenging the State Controller’s determination that charter schools are not entitled to excess ERAF.⁵ The trial and appellate courts rejected these arguments as baseless.⁶ Having lost this case, DOF now seeks to legislate around it. However, DOF’s proposal to change the law to give excess ERAF to charter schools would violate the California Constitution because it would reduce the total percentage of property tax revenues allocated to counties, cities, and special districts below what the laws in effect on November 3, 2004 would have provided.

² Cal. Const. art. XIII, § 25.5(a)(1)(A), emphasis added. This provision protects counties, cities, and special districts from State actions to shift local property taxes to schools because it defines “local agency” for these purposes as “a city, county, and a special district.” (Cal. Const. art. XIII, § 25.5(b); Rev. & Tax Code, § 95(a).)

³ *Official Voter Information Guide—November 3, 2004 General Election*, p. 3, available at https://repository.uclawsf.edu/cgi/viewcontent.cgi?article=2237&context=ca_ballot_props.

⁴ *City of Cerritos v. State of California* (2015) 239 Cal.App.4th 1020, 1041.

⁵ The evidence submitted by CSBA in its lawsuit included a declaration and other documents from DOF staff.

⁶ *California School Bds. Ass’n v. Cohen*, 2023 WL 4853693 (3rd Dist. Court of Appeal, unpublished) (“*CSBA*”). Although the appellate decision is unpublished, it constitutes a final judicial determination that charter schools do not receive ERAF.

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The proposed budgetary change would have devastating consequences to local government

Apart from conflicting with Proposition 1A, this proposal would yield no additional funding to charter schools or school districts. State law already provides a mechanism for charter schools to receive “local” funding through “in lieu” payments from their host school district.⁷ But the impact to affected local governments, including Santa Clara, San Mateo, San Francisco, Marin, Napa, and Alpine Counties, would be dramatic.

The proposed budgetary change would have a significant impact on Santa Clara County, costing about \$32 million in funding per year. This would be devastating to a county that is already facing a budget deficit of close to \$300 million. The cities and special districts in Santa Clara County would likewise be stripped of an additional \$10 million a year. This money-grab will compound local fiscal challenges, with grave consequences for local governments’ ability to provide critical public programs and safety net services to their most vulnerable populations—precisely when they are most in need.

As the safety net to the most vulnerable of its two million residents, the County would be unable to close a budget gap of this size without considering severe cuts to critical services and staff reductions. In 2023, Santa Clara County staff collectively assisted more than 150,000 families with their benefit applications; helped 2,560 individuals gain permanent housing; enrolled 6,072 individuals in temporary housing; coordinated more than 1.5 million meals for seniors; issued 10,300 marriage licenses; answered more than 200,000 9-1-1 calls; provided reentry resources for 5,700 individuals formerly in custody; delivered 4,400 babies; provided care through more than 1 million primary, specialty, and emergency visits; hired 2,100 new County employees; coordinated countywide emergency response efforts during multiple disasters; investigated 6,000 reports of child abuse and neglect; managed 52,000 acres of parkland; processed 486,000 real property assessments; collected \$8 billion in property taxes to support K-12 schools and other public services; and delivered so many other vital services to our community. These are the services that the County would be forced to cut if the Governor’s budget proposal moves forward.

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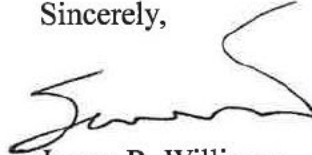
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⁷ See Educ. Code §§ 42238.02(i)-(k), 42238.03(a), (e), 46735; CSBA, 2023 WL 4853693, * 4. This in lieu payment is a percentage of the school district’s property tax revenues based on the ratio of the school district’s average daily attendance (ADA) and the charter school’s ADA. Non-basic aid school districts are effectively reimbursed from ERAF for their charter school in lieu payments.

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I respectfully urge you to reject DOF's budget proposal. We look forward to discussing this with you and the rest of our delegation in the next county caucus meeting in March, which will be scheduled in the near future. In the meantime, please don't hesitate to reach out if you have any questions.

Sincerely,



James R. Williams
County Executive

Enclosed Fact Sheet

cc: Santa Clara County Legislative Delegation
Senate President Pro Tempore Designate, Mike McGuire
Senator Nancy Skinner, Chair, Senate Budget Committee
Senator Roger Niello, Vice Chair, Senate Budget Committee
Senator John Laird, Chair, Senate Budget Subcommittee on Education
Senator Steven Padilla, Chair, Senate Budget Subcommittee on State Administration and General Government
Assemblymember Jesse Gabriel, Chair, Assembly Budget Committee
Assemblymember Vince Fong, Vice Chair, Assembly Budget Committee
Assemblymember David Alvarez, Chair Assembly Budget Subcommittee on Education Finance
Assemblymember Sharon Quirk-Silva, Chair, Assembly Budget Subcommittee on State Administration
Santa Clara County Board of Supervisors
Greta S. Hansen, J.D., Chief Operating Officer
David Campos, Deputy County Executive
Josh Tosney, Legislative Deputy County Counsel
Jean Hurst, Hurst Brooks Espinosa



Impacts of Re-Redirecting Excess ERAF from Counties

BACKGROUND

The California Constitution requires the State to guarantee that schools receive a certain minimum level of funding. In 1992, to reduce the impact of this mandate on the State general fund, the State required each county to establish an Educational Revenue Augmentation Fund (ERAF) where local property tax dollars are taken from the county, cities, and special districts, deposited in ERAF, and used to bring school districts up to their minimum funding levels. Importantly, despite its name, ERAF does not increase school funding—it merely offsets the State’s school funding obligations, dollar-for-dollar. When more local property tax revenue is diverted to ERAF than is needed to meet school districts’ minimum funding needs, that revenue is deemed “excess ERAF” and returned to the county, cities, and special districts whose taxes were diverted to ERAF.

CHARTER SCHOOL FUNDING

Charter schools also have minimum funding guarantees, but they do not receive ERAF.¹ Instead, they receive “in lieu” payments from their host school district. If the in lieu payment is not enough to meet the charter school’s minimum funding level, the State makes up the difference.

PROBLEM

The California Department of Finance (DOF) has engaged in numerous efforts over many years to shift excess ERAF away from local governments to benefit the State budget.

One of DOF’s recent efforts was to assert, without any legal basis, that charter schools receive ERAF. DOF even supported the California School Boards Association’s unsuccessful lawsuit challenging the State Controller’s determination that charter schools do not receive ERAF.

DOF’s response to that judicial defeat is to propose unconstitutional budget legislation that would give charter schools ERAF, thereby shifting funds away from local governments.

The estimated impact to Santa Clara County from DOF’s proposal would be \$32 million per year. Our 15 cities and 11 special districts would also lose roughly \$10 million per year.

Losing these additional local property tax dollars would put critical safety net services—such as behavioral health care, supportive housing, and health services for children and families—at significant risk.

DOF’s proposal is also unconstitutional because Article XIII, § 25.5(a) restricts the State’s authority to use or redirect local property taxes from counties, cities and special districts. But DOF seems undeterred by this inconvenient fact.

We are asking our delegation to stay very alert for any proposed legislation entitling charter schools to ERAF.

CONTACT

James R. Williams, County Executive

Funding At Risk for Santa Clara County Communities

	Annual Revenue Loss
County of Santa Clara	\$32 M
15 Cities	\$7.9M
11 Special Districts	\$2M
Total Revenue Loss	\$41.9M

¹ *California School Bds. Ass’n v. Cohen*, 2023 WL 4853693 (3rd Dist. Court of Appeal, unpublished) (“CSBA”). Although the appellate decision is unpublished, it constitutes a final judicial determination that charter schools do not receive ERAF.

Excess ERAF:
**A Review of the Calculations
Affecting School Funding**



Executive Summary

Hundreds of Millions of Dollars in Property Tax Revenue at Issue. This report focuses on a state law enacted in the 1990s that shifts some of the property tax revenue in certain counties from schools and community colleges to other local agencies. For historical reasons, the shifted revenue is known as “excess ERAF.” (The acronym refers to the local accounts—known as Educational Revenue Augmentation Funds—that facilitate the shift.) We recently found that some counties are calculating excess ERAF in ways that seem contrary to state law and shift too much property tax revenue from schools to other agencies. We have three specific concerns related to the calculation of excess ERAF that together affect more than \$350 million in annual property tax revenue. Earlier this year, the Newsom administration began to address one of these concerns. In this report, we recommend the Legislature direct the administration to enforce state law on our other two concerns. We also recommend improving oversight to prevent similar issues from arising in the future.

Background

Property Tax Revenue Shared Among Local Agencies. The State Constitution requires the proceeds of the property tax to be allocated among the local agencies in the county where the revenue is collected. Recipients of property tax revenue include cities, counties, special districts, K-12 schools, and community colleges. The county auditor is responsible for allocating property tax revenue to these entities according to state law.

Property Tax Changes Can Affect School Funding and the State Budget. Proposition 98 (1988) establishes a minimum funding requirement for schools and community colleges commonly known as the minimum guarantee. The guarantee encompasses state General Fund and local property tax revenue. A set of formulas in the State Constitution determines the guarantee each year. In certain years, the formulas provide that any changes to the amount of property tax revenue received by schools and community colleges have a dollar-for-dollar effect on the size of the guarantee. In other years, property tax changes affect the amount of General Fund the state must allocate to meet the guarantee.

ERAF Accounts Created in the Early 1990s. In the early 1990s, the Legislature permanently redirected a significant portion of the property tax revenue from cities, counties, and special districts to schools and community colleges. The redirected revenue is deposited into a countywide account known as ERAF. Revenue from ERAF is allocated to schools and community colleges to offset the funding these entities otherwise would receive from the state General Fund.

Excess ERAF Allocated to Noneducation Agencies. In a few counties, ERAF revenue is more than enough to offset all of the General Fund allocated to schools and community colleges. In the mid-1990s, the Legislature enacted a law shifting the portion of ERAF not needed for schools and community colleges to other agencies in the county. The revenue shifted through this process is known as excess ERAF. As of 2018-19, five counties have excess ERAF—Marin, Napa, San Francisco, San Mateo, and Santa Clara.

Findings and Concerns

Three Specific Concerns. We recently reviewed the calculation of excess ERAF in the five counties and identified three specific concerns. Our first concern is that counties are excluding charter schools from certain calculations related to excess ERAF. Our second concern relates to

the way counties are accounting for the school share of property tax revenue formerly allocated to redevelopment agencies. (The state dissolved these agencies in 2011-12.) Our third concern pertains to a provision of law known as minimum state aid. In each case, we believe counties are calculating excess ERAF in ways that are contrary to state law and shift too much property tax revenue from schools to other local agencies. All three concerns together affect more than \$350 million in annual property tax revenue.

Concerns Affect Funding for the School System Overall. One potential misconception about our concerns is that they affect the budgets of individual schools within the five counties. As we discuss in this report, each concern affects the state's entire school system. For example, to the extent counties incorrectly exclude charter schools, less funding is available for school districts, charter schools, and community colleges throughout the state.

Two Broader Concerns. First, we are concerned the current process for calculating excess ERAF provides an insufficient role for the state. We think the lack of state involvement is one reason the law has been implemented in ways the Legislature did not intend. Second, we are concerned that the state has a fragmented system for collecting ERAF data from the counties. This fragmentation makes the calculations difficult to monitor.

Administration's Recent Actions

Administration Recently Began to Address Our First Concern. In February, the administration informed the five counties that it expects them to adjust their calculations to address the concern about charter schools. Our current understanding is that the counties have not yet provided a formal response to the administration. The administration also recently became aware of our other concerns related to redevelopment revenue and minimum state aid, but has not taken formal action on these issues.

Recommendations

Direct the Administration to Enforce State Law on All Three Issues. We credit the administration for its initial actions regarding our concern about charter schools. We would, however, recommend the Legislature direct the administration to enforce state law on our other specific concerns, including the treatment of redevelopment revenue and minimum state aid.

Monitor Potential Changes in School Funding. The Governor's budget assumes the state resolves the concern about charter schools. If this issue were not resolved, however, school property tax estimates would be overstated by about \$180 million per year relative to the Governor's budget. On the other hand, if the administration successfully resolves the other two concerns, school property tax estimates would increase by about \$170 million per year relative to the Governor's budget. Under the Governor's estimates of the Proposition 98 minimum guarantee, any changes in property tax revenue would affect the size of the guarantee—and by extension, the amount of funding available for K-14 programs.

Improve State Oversight Moving Forward. We recommend the Legislature task the California Department of Education or the Department of Finance with developing standardized procedures that all counties would use for the calculation of excess ERAF. We also recommend making one agency responsible for collecting the data necessary to verify these calculations. These improvements would make the calculations easier to monitor, promote greater consistency across the counties, and reduce the likelihood that any future changes to ERAF are implemented in ways the Legislature does not expect.

INTRODUCTION

Since the mid-1990s, a state law has shifted some of the property tax revenue in certain counties from schools and community colleges to other local agencies. For historical reasons, the shifted revenue is known as “excess ERAF.” (The acronym refers to the local accounts—known as Educational Revenue Augmentation Funds—that facilitate the shift.)

We recently learned that a few counties have made changes to the way they calculate excess ERAF. The changes would increase the amount of property tax revenue shifted from schools to other local agencies by hundreds of millions of dollars per

year. Under the constitutional formulas governing education funding, the changes would mean less revenue is available for school and community college programs in the 2020-21 budget.

This report provides our assessment of the counties’ changes. It also reviews two other issues affecting the calculation of excess ERAF. The first section provides historical context and explains the relevant laws and formulas. The second section describes our findings and concerns. The third section reviews the recent actions taken by the Newsom administration. The final section contains our recommendations to the Legislature.

BACKGROUND

This section provides background on property taxes in California and explains how they affect school funding. It then explains the purpose of the local accounts (pronounced “E-RAF”) and the concept of excess ERAF. It ends by providing background on two related issues.

Property Tax Basics

Many Local Agencies Receive Property Tax Revenue. Property owners in California pay a tax of at least 1 percent on the assessed value of their properties. The State Constitution requires the proceeds of the property tax to be allocated for local agencies in the county where the revenue is collected. Recipients of property tax revenue include cities, counties, special districts, K-12 schools, and community colleges. The county auditor is responsible for allocating property tax revenue to these entities according to state law. The exact share of property tax revenue for each entity varies across the state, largely for historical reasons. On a statewide basis, schools and community colleges receive about 40 percent of all property tax revenue and other local agencies receive about 60 percent (**Figure 1**, see next page).

Property Taxes and School Funding

Proposition 98 Establishes Minimum Funding Level for Schools and Community Colleges.

Proposition 98 (1988) establishes a minimum annual funding requirement for schools and community colleges, commonly known as the minimum guarantee. The guarantee encompasses state General Fund and local property tax revenue. The state determines the guarantee by calculating and comparing three main formulas, or “tests” (**Figure 2**, see next page). These tests depend upon various inputs, such as General Fund revenue and changes in student attendance. Depending on these inputs, one of the tests becomes operative and sets the minimum guarantee for that year.

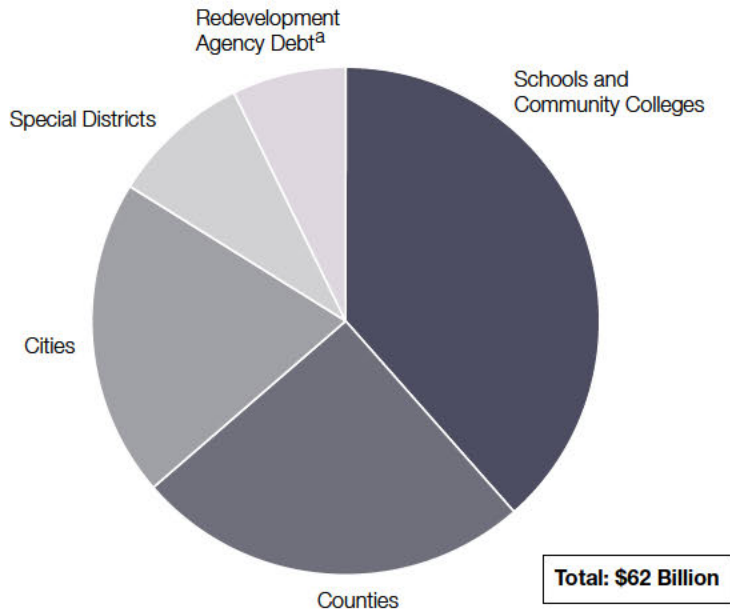
Interaction Between Property Tax Revenue and the Proposition 98 Guarantee.

The amount of property tax revenue received by schools and community colleges affects the Proposition 98 calculations. The effects vary, however, depending on which of the three tests is operative. In Test 1 years, the minimum guarantee equals a fixed percentage of state General Fund revenue, plus whatever amount of property tax revenue schools and community colleges receive that year. In Test 1 years, increases or decreases in property tax revenue have a dollar-for-dollar

Figure 1

Schools Receive Largest Share of Property Taxes

2018-19



^a Redevelopment agencies were dissolved in 2012. Successor agencies continue to use property tax revenue to pay former agencies' debt and obligations.

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effect on school funding. When one of the other tests is operative, changes in property tax revenue do not affect the minimum guarantee or overall school funding. Instead, they affect the amount of General Fund the state must allocate to meet the guarantee.

State Law Allocates Funding to Districts Through Formulas.

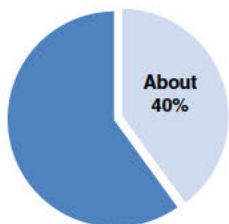
Whereas Proposition 98 establishes a total minimum funding level, the Legislature decides how to allocate this funding. For schools, the Legislature allocates most funding through the Local Control Funding Formula (LCFF). This formula establishes a funding target for each school district based primarily on the number of students attending the district and the share of those students who are low income or English learners. For community colleges, the Legislature allocates most funding through apportionments. The apportionment formula establishes a target for each college district based on its enrollment (as measured by full-time-equivalent students), share of students who are low income, and performance on certain measures of student outcomes.

Districts Funded With Property Tax Revenue and State General Fund. The state counts the property tax revenue a school or community college district receives toward its funding target. The state then provides General Fund to make up the remaining difference. For the average district, property tax revenue covers the first 40 percent of

Figure 2

Three Proposition 98 Tests

Test 1
Share of General Fund Revenue



Guarantee based on share of state General Fund revenue going to K-14 education in 1986-87, plus a share of local property tax revenue.

Test 2
Change in Per Capita Personal Income (PCPI)



Guarantee based on prior-year funding level adjusted for year-over-year changes in K-12 attendance and California PCPI.

Test 3
Change in General Fund Revenue



Guarantee based on prior-year funding level adjusted for year-over-year changes in K-12 attendance and state General Fund revenue.

ADA = average daily attendance.

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its target and state General Fund covers the remaining 60 percent. The exact share varies widely across the state. For approximately 10 percent of school and community college districts, property tax revenues exceed their target. For historical reasons, these districts are known as “basic aid” districts. State law allows these districts to spend the additional revenue on their local education priorities.

Property Tax Shifts and Excess ERAF

ERAF Accounts Established in Early 1990s.

During the early 1990s, the state experienced an economic recession and budget shortfalls. To help balance the budget, the state permanently redirected almost one-fifth of statewide property tax revenue from cities, counties, and special districts to schools and community colleges. The redirected property tax revenue is deposited into an account in the county treasury known as ERAF. Initially, the operation of these accounts was relatively straightforward—all of the property tax revenue was distributed to schools and colleges within the county to offset revenue they would otherwise receive from the state General Fund. By increasing property tax revenue to schools, the ERAF shifts reduced the amount of General Fund needed to meet the Proposition 98 guarantee. Basic aid districts did not receive any allocations from ERAF because they received no General Fund revenue the state could offset.

Local Agencies in Certain Counties Receive Excess ERAF. In 1994-95, Marin County reported a new development—it had more than enough funding in ERAF to offset all of the General Fund its schools would receive from the state. At the time, the law did not specify how ERAF revenue above the amount needed for schools should be used. In response, the Legislature specified that some of the funds would be used for special education programs and the remainder would be allocated to other agencies in the county, including the county government, cities, and special districts. The ERAF funds allocated to noneducation agencies through this process are known as excess ERAF. An agency’s share of excess ERAF is proportional to the share of its property tax revenue originally shifted into ERAF. The agencies receiving excess

ERAF may use it for any local purpose. **Figure 3** (see next page) illustrates how a county calculates excess ERAF.

State Made Another Change to ERAF in 2004-05. In 2004-05, the state began directing county auditors to use funding in ERAF to reimburse cities and counties for a reduction in their Vehicle License Fee (VLF) revenue. (The VLF is a tax on vehicle ownership and a longstanding source of revenue for cities and counties. The state began reducing the VLF rate in the late 1990s.) This shift is known as the VLF swap. Although the VLF swap reduced the amount of property tax revenue in ERAF available to fund schools, state law specified that the shift would not affect the calculation of excess ERAF.

Current ERAF Allocation Process. **Figure 4** (see page 7) shows how the various parts of the ERAF allocation process fit together. After shifting property taxes into ERAF, the county auditor compares the amount in ERAF with the amount of state General Fund that schools and community colleges would need to fund their targets. If the amount in ERAF is larger, the auditor allocates the difference to local agencies as excess ERAF. (If the amount is smaller, the auditor skips this step.) Next, the auditor subtracts funding from ERAF to reimburse cities and counties for the VLF swap. Finally, the auditor distributes the funds remaining in ERAF to schools and community colleges. The specific distribution of ERAF among the school districts in the county is determined by the county superintendent of schools.

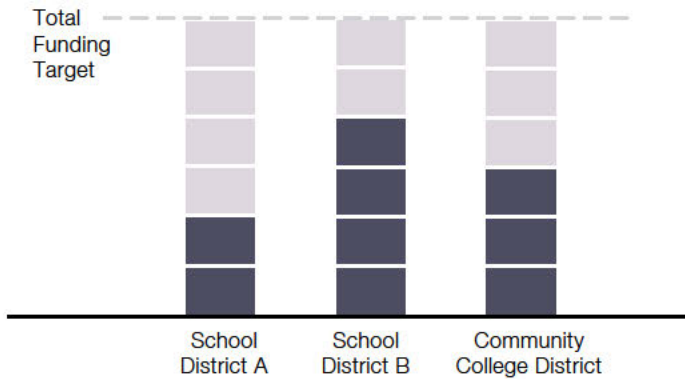
Charter Schools Receive Property Tax Revenue Indirectly. Charter schools educate K-12 students under locally developed agreements (or “charters”) that describe their educational goals and programs. Most charter schools are approved and monitored by the school districts in which they are located. The first charter schools opened in 1992-93. Since that time, the Legislature has taken steps to integrate charter schools into the K-12 funding system. For example, state law deems charter schools to be school districts for the purposes of allocating LCFF funding and meeting the Proposition 98 guarantee. Unlike school districts, however, charter schools do not receive an automatic allocation of property tax revenue.

Figure 3

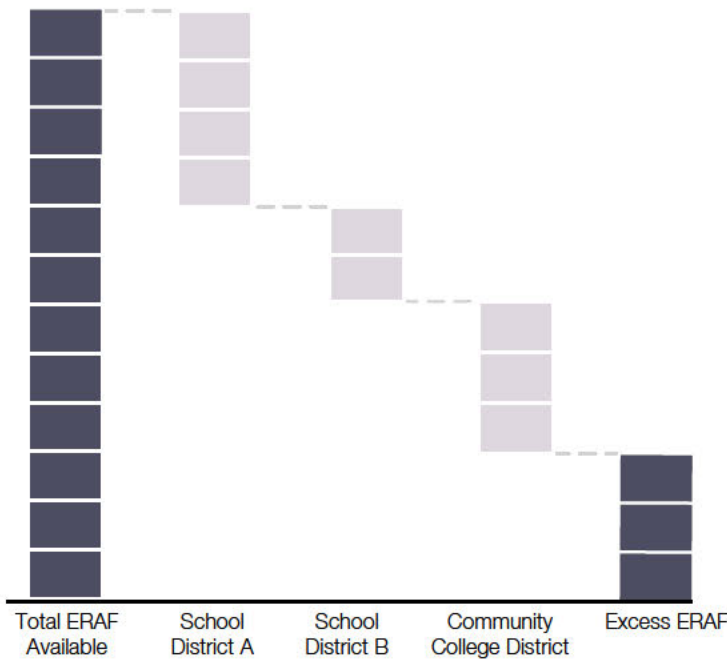
How a County Calculates Excess ERAF

Additional Funding Needed
 Property Tax Revenue

1. Schools and community colleges require additional funding to meet their targets:



2. County has more than enough funding in ERAF to meet each district's target:



ERAF = Educational Revenue Augmentation Fund.

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Instead, the law requires school districts to share their property tax revenue—including ERAF—by making payments in-lieu of taxes to their charter schools. Generally, each charter school receives a share of the property tax revenue that is proportional to its share of students in the school district. The state then backfills the school district for the reductions to its property tax revenue. (Somewhat different rules apply for charter schools in basic aid school districts.)

Recent Trends in Excess ERAF

Five Counties Currently Report Excess ERAF. Until the mid-2000s, Marin was the only county with excess ERAF. Since that time, four other counties in the Bay Area have joined Marin—San Mateo, San Francisco, Santa Clara, and Napa. San Francisco, the most recent addition, began reporting excess ERAF in 2016-17. As **Figure 5** (see page 8) shows, all of these counties have very high levels of property tax revenue relative to their overall populations. High levels of property tax revenue increase the total amount of funding shifted into ERAF and, by extension, the likelihood of having excess ERAF.

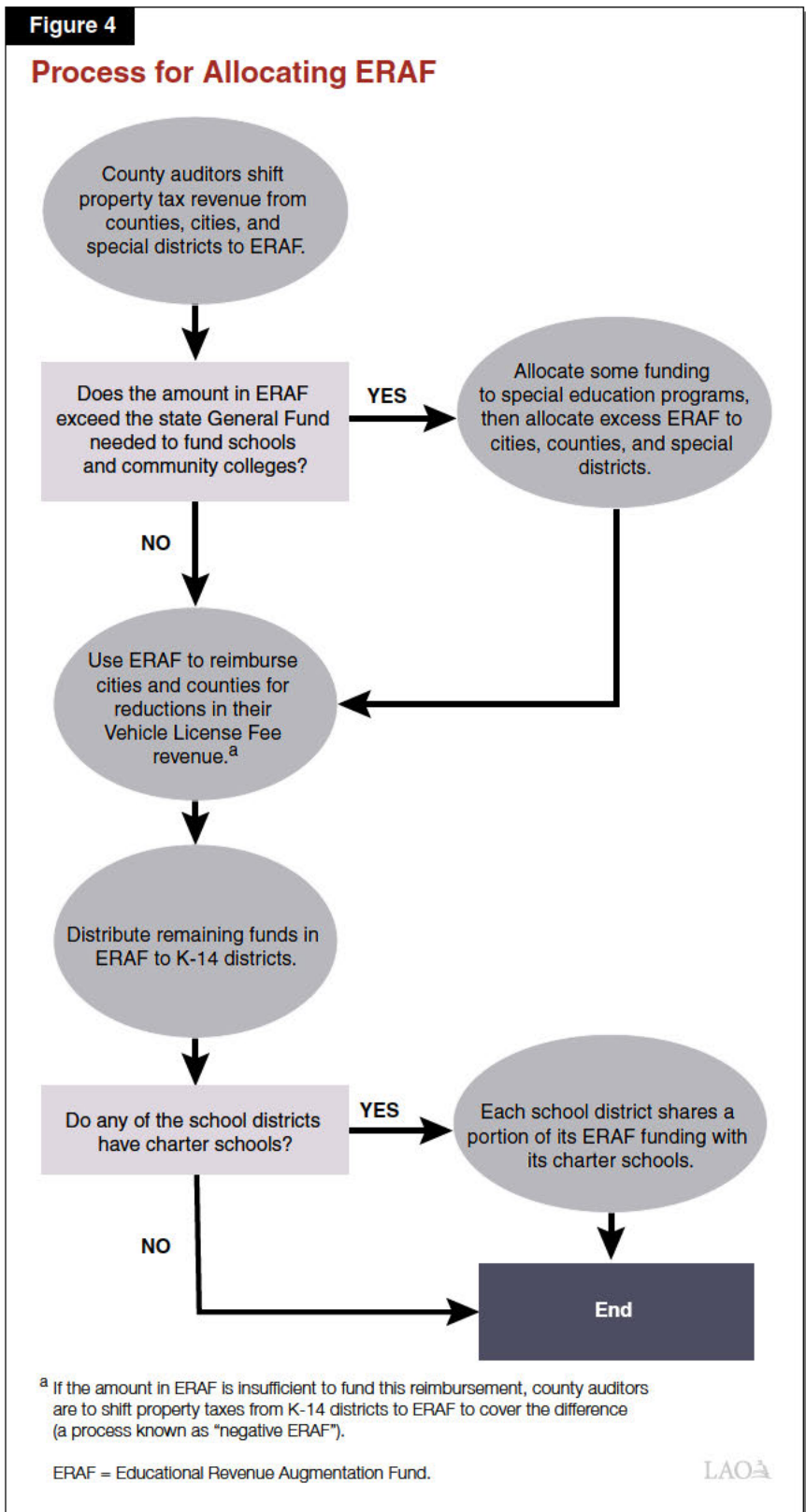
Excess ERAF Has Grown Rapidly in Recent Years.

Figure 6 (see page 9) shows how the amount of excess ERAF reported by counties has changed over time. In 2006-07, counties reported excess ERAF totaling about \$100 million—equating to about 1.5 percent of all property tax revenue allocated from ERAF

accounts statewide. Over the next decade, excess ERAF grew steadily. Within the past three years, however, growth in excess ERAF has accelerated. Preliminary reports show excess ERAF totaling \$820 million in 2018-19—equating to about 8 percent of all funding allocated from ERAF statewide. Several factors explain this large uptick. Most notably, San Francisco became an excess ERAF county beginning in 2016-17. In 2017-18, growth in property tax revenue among Bay Area counties was particularly strong relative to the increase in school funding that year. County decisions about the calculation of excess ERAF have also played an important role, as discussed later in this report.

Redevelopment Dissolution

Dissolution of Redevelopment Increased Property Tax Revenue for Schools and Other Local Agencies. Prior to 2011-12, the state had more than 400 redevelopment agencies engaged in various redevelopment projects around the state. Redevelopment agencies financed their activities using a portion of the property tax revenue collected in their jurisdictions. The 2011-12 budget package dissolved redevelopment agencies effective February 2012. Under the dissolution process, property tax revenue formerly allocated to these agencies is used first to pay off redevelopment debts and obligations. The remaining revenue is distributed to schools,



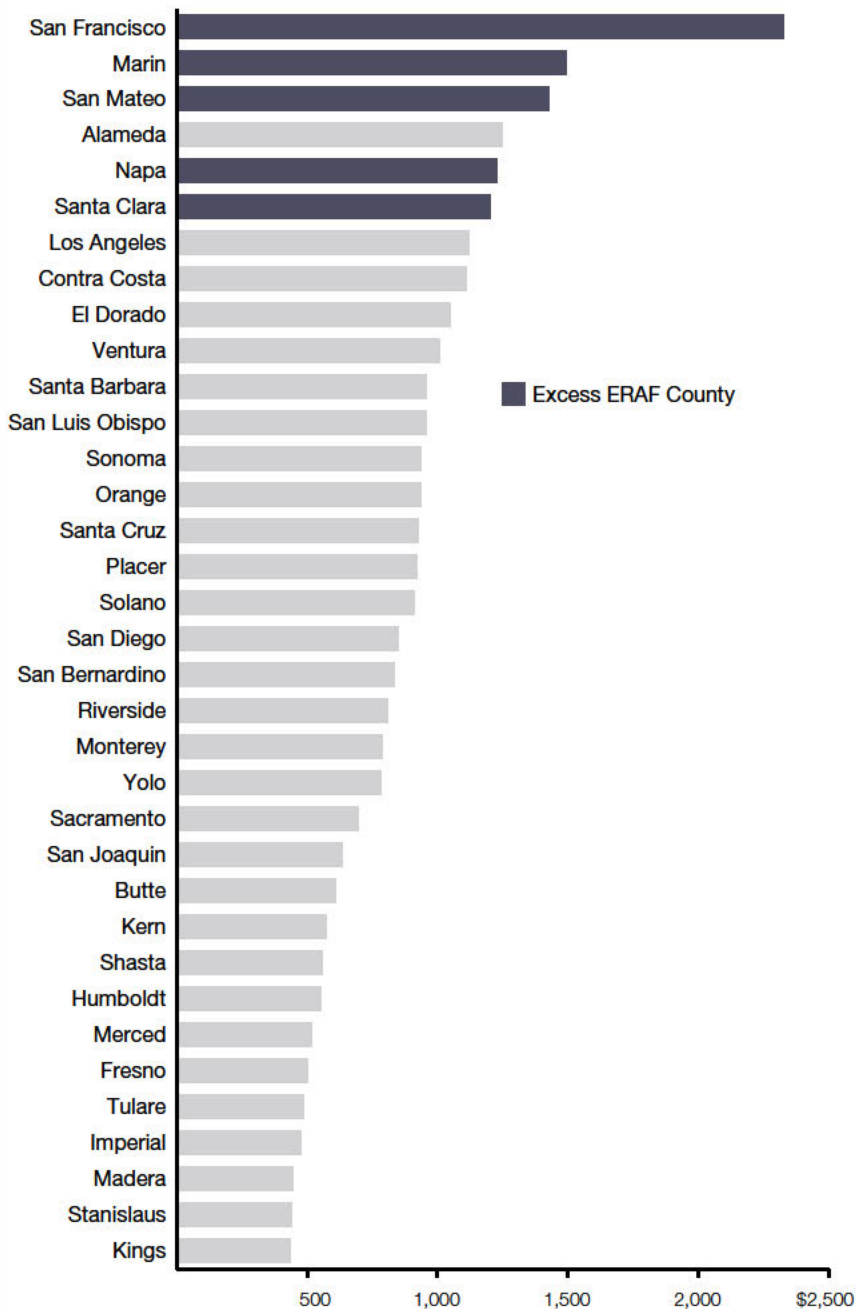
community colleges, and other local agencies. Each agency's share of this revenue generally is proportional to its share of all other property tax

revenue. As former redevelopment debts and obligations are retired, these distributions will grow over time.

Figure 5

Excess ERAF Occurs in High Property Wealth Counties

Total City, County, and Special District Property Taxes Per Resident Without Counting Excess ERAF



ERAF = Educational Revenue Augmentation Fund.

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State Law Specified That Dissolution Would Not Increase Excess ERAF.

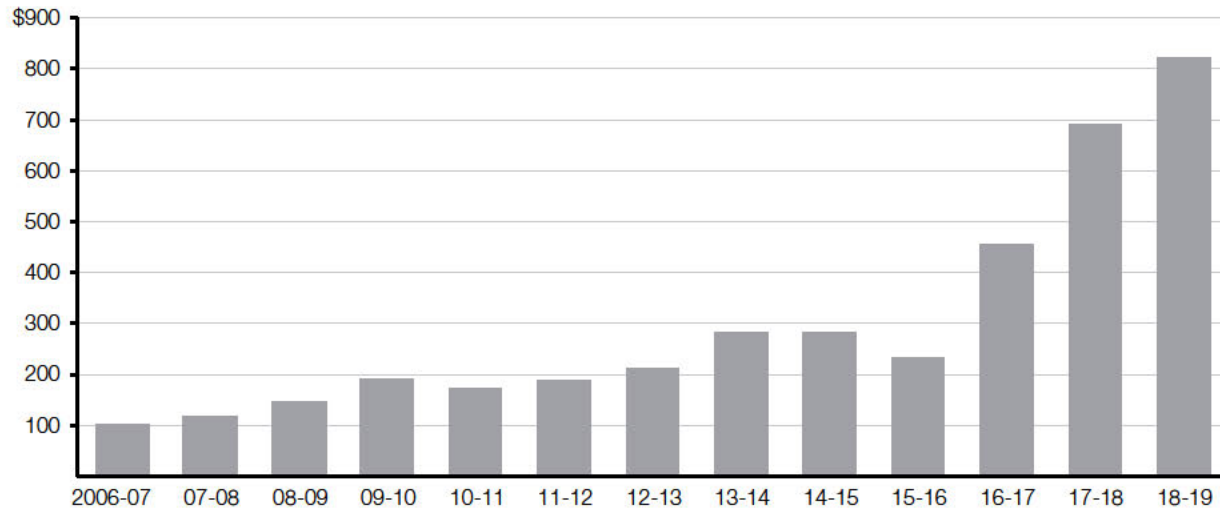
By increasing school property tax revenue, the dissolution of redevelopment also reduced the amount of General Fund needed to fund schools. For counties with excess ERAF, these changes presented a complication. Specifically, the redevelopment revenue allocated to schools in these counties would have *reduced* the funding schools could receive from ERAF and *increased* excess ERAF. As a result, schools would have not experienced an overall increase in their property tax revenue. To prevent this unintended outcome, the Legislature passed Chapter 26 of 2012 (AB 1484, Committee on Budget). This legislation instructed county auditors not to increase excess ERAF as a result of any revenue attributable to the dissolution of redevelopment. (The funding that remains in ERAF as a result of this law is available to pay for the VLF swap and fund schools.)

Minimum State Aid

School Districts Receive a Minimum Level of State Funding. Certain provisions of the California Constitution and state law guarantee all school districts a minimum level of funding from the state General Fund. Generally, this minimum equals the amount of state funding each district received in 2012-13 (the year prior to the creation of LCFF) or \$120 per

Figure 6

Excess ERAF Has Increased Notably in Recent Years^a (In Millions)



^a Reflects most recent data reported by counties. Excludes amounts allocated for special education programs.

ERAF = Educational Revenue Augmentation Fund.

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student, whichever is higher. For most school districts, this “minimum state aid” counts toward meeting their LCFF targets. (Basic aid districts are an exception, as they receive minimum state aid on top of their targets.)

Minimum State Aid Increases Excess ERAF.

When counties are calculating excess ERAF, they determine how much General Fund revenue allocated to schools could be replaced with property tax revenue. Minimum state aid, however,

represents General Fund revenue a school district will receive regardless of its property tax revenue. The law is implemented such that the portion of each district’s target covered by minimum state aid cannot be replaced with ERAF. In other words, minimum state aid reduces the amount of ERAF that can be allocated to the schools within a county. Reducing the amount of ERAF allocated to schools, in turn, results in more excess ERAF being allocated to other agencies.

FINDINGS AND CONCERNS

This section explains three specific concerns we identified in our review of the calculation of excess ERAF. It also explains two broader concerns we have about the oversight of these calculations.

We Recently Reviewed Excess ERAF Calculations in the Five Counties. For our review, we examined county calculations, spoke with local officials, and reviewed relevant state law. We identified three specific concerns regarding the calculation of excess ERAF, which are summarized

in **Figure 7** (see next page). The first relates to the treatment of charter schools, the second to the dissolution of redevelopment, and the third to the calculation of minimum state aid. In each case, our concern is that certain counties are calculating excess ERAF in ways that shift too much property tax revenue from schools to other local agencies. Apart from the three specific issues, we have two broader concerns that we describe at the end of this section.

Concerns Affect Funding for the School System Overall. One potential misconception about our findings is that they affect the budgets of individual schools within the five counties. In fact, each issue affects the state’s entire school system. To the extent a county allocates too little ERAF to schools, the state provides more General Fund. Depending upon which test is operative for calculating the Proposition 98 guarantee, the cost of this backfill results in (1) less overall funding for school and community college programs (when Test 1 applies), or (2) higher General Fund costs for the state (when another tests applies).

Three Specific Concerns

Counties Are Increasing Excess ERAF by Excluding Charter Schools... The amount of excess ERAF in a county depends upon the difference between the amount of (1) ERAF revenue available and (2) General Fund revenue that schools within the county are eligible to receive. We recently learned that two counties have been excluding charter schools from this second amount for the past few years. That is, these counties are treating charter schools as though they receive no General Fund revenue that could be replaced with ERAF. By reducing the ERAF allocated for schools, this practice increases excess ERAF. We also learned that other excess ERAF counties—which previously included charter schools—began excluding them in their most recent calculations. Across all five counties, we estimate the exclusion of charter schools would shift roughly \$180 million per year

in property tax revenue from schools to other local agencies.

...Even Though State Law Includes Charter Schools. State law specifically allocates ERAF and other property tax revenue to charter schools through their school districts. This property tax revenue offsets the General Fund revenue charter schools otherwise would receive from the state. The counties’ approach, however, would involve calculating excess ERAF as though these parts of the allocation process did not exist. The overall effect would be to reduce the amount of ERAF revenue available for allocation to the school districts in the county. (Charter schools would experience the reduction indirectly, in the form of smaller payments in-lieu of taxes.) This approach also runs counter to various state laws declaring charter schools to be school districts for funding purposes such as LCFF.

Redevelopment Revenues Are Increasing Excess ERAF. Though state law provides that redevelopment revenue allocated to schools should not increase excess ERAF, we found that the five counties are not implementing this provision. Instead, redevelopment revenues are displacing property tax revenue that schools otherwise would receive from ERAF. This means that revenues intended to benefit schools are instead benefitting cities, counties, and special districts through additional excess ERAF. We estimate this practice is shifting roughly \$170 million per year from schools to other local agencies.

Figure 7

Three Specific Concerns About Excess ERAF Calculations

Issue	Concern	Revenue Shifted From Schools to Other Agencies ^a	Amount Shifted Over Three-Year Budget Period ^a
Treatment of charter schools	Counties excluding charter schools from calculation of excess ERAF.	\$180 million	\$540 million
Implementation of redevelopment dissolution	Counties allowing redevelopment revenue to increase excess ERAF.	\$170 million	\$510 million
Calculation of minimum state aid	At least one county overcounting minimum state aid, which increases excess ERAF.	\$2 million	\$6 million

^a Reflects estimates based on available data and our understanding of counties’ current practices. ERAF = Educational Revenue Augmentation Fund.

At Least One County Is Increasing Excess ERAF by Over Counting Minimum State Aid.

A third, much smaller concern relates to the calculation of minimum state aid. We found that at least one county is assuming its school districts receive more minimum state aid than the law actually provides. This assumption reduces the amount of ERAF that can be allocated to schools. Excess ERAF, in turn, increases by a corresponding amount. We estimate this practice is shifting at least \$2 million per year from schools to other local agencies. (Technically, this issue stems from the assumption that school districts receive both \$120 per student in state funding and the amount received in 2012-13, whereas the law specifies that the minimum level be based on one of these amounts.)

Two Broader Concerns

State and Schools' Interests Not Sufficiently Represented. Although each of our specific concerns is rooted in a different part of law, taken together we think they illustrate a broader concern. Each year, the property tax produces a finite amount of revenue for the agencies within each county. The state and schools share an interest in maximizing the revenue allocated for schools, as this revenue results in either more overall school funding or lower state General Fund costs.

Conversely, other local agencies share an interest in maximizing their share of the property tax revenue. This trade-off provides an incentive for counties to implement the law in ways that increase their share of the property tax revenue, particularly when so many different steps are involved in the calculation. We think the lack of state involvement in the ERAF allocation process is one reason the law is being implemented in ways the Legislature did not intend.

State Has Difficulty Monitoring the Calculation of Excess ERAF. Two main issues limit the state's ability to monitor the calculation of excess ERAF. First, the implementation of the law varies from county to county. Each county uses its own procedures to calculate excess ERAF. The five counties, for example, implemented the decision to exclude charter schools differently. Second, the state has not assigned responsibility for collecting ERAF data to any single agency. Instead, this responsibility is spread across multiple agencies including the State Controller's Office (SCO), California Department of Education (CDE), and the Department of Finance (DOF). For example, the SCO collects information on the total amount of property tax revenue shifted into ERAF, but CDE collects information on excess ERAF. Due to these two issues, the state has difficulty monitoring the calculations, identifying errors or inconsistencies, and projecting how the amount of excess ERAF might change in the future.

ADMINISTRATION'S RECENT ACTIONS

This section explains the Governor's recent actions related to excess ERAF and the assumptions embedded in the administration's property tax estimates.

Administration Recently Began to Address Concern About Charter Schools. The administration indicates it is concerned about the exclusion of charter schools from the calculation of excess ERAF. In February, the administration informed the five counties that it expects them to revise their calculations to include charter schools. We understand that as of this writing, the counties have not formally responded to the administration. The administration also recently became aware

of our concerns related to the treatment of redevelopment revenue and minimum state aid, but has not taken any formal action on these issues.

Property Tax Estimates Assume Charter Schools Are Included. The Governor's budget estimates that total property tax revenue for schools and community colleges will be \$23.9 billion in 2018-19, \$25.2 billion in 2019-20, and \$26.5 billion in 2020-21. These estimates assume all counties include charter schools for each year of the period. Regarding our other concerns, the budget assumes no changes to the way counties currently account for redevelopment revenue or minimum state aid.

Changes to Property Tax Revenue Would Affect Overall School Funding. The Governor’s budget projects that Test 1 is the operative test for calculating the Proposition 98 guarantee each year of the period. As a result, any changes to

property tax revenue would increase or decrease the minimum guarantee—and the funding available for schools and community colleges—on a dollar-for-dollar basis.

RECOMMENDATIONS

This section explains how we suggest the Legislature respond to our specific concerns and the steps we recommend to prevent similar concerns from arising in the future.

Direct the Administration to Enforce State Law on All Three Issues. We credit the administration for its initial actions to ensure charter schools are included the calculation of excess ERAF. We would, however, recommend the Legislature direct the administration to enforce the law on all of our concerns, including the treatment of redevelopment revenue and minimum state aid. All three issues involve the calculation of excess ERAF in ways that seem contrary to state law and shift too much property tax revenue to noneducation agencies.

Monitor Potential Changes in School Funding. Taken together, our three specific concerns affect the allocation of approximately \$350 million in property tax revenue per year. Over the 2018-19 through 2020-21 period, the amount is more than \$1 billion. The Governor’s budget assumes the state is able to address the charter school issue, which accounts for about half of this amount. If the administration successfully resolves the other two issues, annual property tax revenue for schools—and the Proposition 98 guarantee—would be around \$170 million higher than the estimates in the Governor’s budget (about half a billion dollars over the three years). Due to the potential swings in funding, we advise the Legislature to monitor the state’s progress on these issues.

Improve State Oversight Moving Forward. We recommend the Legislature address our two broader concerns by improving state oversight. Specifically, we recommend the following:

- **Develop Clear, Consistent Procedures.** We recommend the Legislature task CDE or DOF with developing standardized procedures that all counties would use for the calculation of excess ERAF. We envision these procedures including instructions and a template to ensure compliance with all of the applicable state laws. We think the Legislature could ask each agency to explain what resources it would need for this task, then choose the most cost-effective option.
- **Improve Data Collection.** We recommend the Legislature task CDE with collecting all of the relevant data necessary to verify the calculation of excess ERAF. Having one agency collect the data in a consistent manner would allow the state to ensure counties are following the new instructions. Given that CDE already collects certain property tax data, we think the cost of collecting the additional information would be modest.

By improving oversight, these changes would help ensure that the interests of the state and schools are better represented in the ERAF allocation process. They also would make the calculation of excess ERAF easier to monitor and promote greater consistency across the counties. Finally, our recommendations would reduce the likelihood that future changes to school funding or property tax laws affect the allocation of ERAF in ways the Legislature does not expect. If the Legislature were to adopt these recommendations as part of the June budget package, we think they could be implemented during the 2020-21 fiscal year.

CONCLUSION

Excess ERAF Is Likely to Remain a Significant Issue. Over the past several years, excess ERAF has come to affect five counties and hundreds of millions of dollars in property tax revenue each year. As property values continue to rise, this shift is likely to affect an even larger share of the property tax revenue in those counties—

and potentially additional counties. These trends highlight the importance of understanding the calculation of excess ERAF and ensuring effective state oversight. They also suggest that excess ERAF is likely to be an important factor affecting the budget picture for schools and other local agencies for many years to come.

LAO PUBLICATIONS

This report was prepared by Kenneth Kappahn, and reviewed by Brian Uhler and Anthony Simbol. The Legislative Analyst's Office (LAO) is a nonpartisan office that provides fiscal and policy information and advice to the Legislature.

To request publications call (916) 445-4656. This report and others, as well as an e-mail subscription service, are available on the LAO's website at www.lao.ca.gov. The LAO is located at 925 L Street, Suite 1000, Sacramento, CA 95814.

TO: Board of Directors**FROM:** Tony Ndah, Deputy Administrative Officer, General Services**SUBJECT:** Response to request from Director Beall to provide O&M contract listing**DATE:** May 8, 2024

At the April 24, 2024, Special Board meeting, Director Beall requested a listing of operations and maintenance (O&M) contracts to be provided to him, to include the number of O&M contracts, dollar amounts and the manner in which the contracts were approved.

In response to this request, staff have compiled the attached table containing a listing of 165 active O&M contracts.

For further information, please contact Tony Ndah at (408) 630-2208.

Tony Ndah, Deputy Administrative Officer
General Services

cc: Tina Yoke

Attachment:

1. List of Active O&M Contracts

Contract Name	Maximum NTE (All Contract Terms)	Approval Process
Alteron BMS Service and Support Program	\$433,106.00	BAO Procurement Designee
Annual Monitoring-Saratoga Creek Hazard Tree Removal	\$166,792.00	CEO
APEX SMP PROGRAM	\$250,000.00	BAO Procurement Designee
AS-NEEDED SCADA AND PLC PROG. SUPPORT (1 of 4)	\$6,000,000.00	BAO Procurement Designee
AS-NEEDED SCADA AND PLC PROG. SUPPORT (2 of 4)	\$6,000,000.00	BAO Procurement Designee
AS-NEEDED SCADA AND PLC PROG. SUPPORT (3 of 4)	\$6,000,000.00	BAO Procurement Designee
AS-NEEDED SCADA AND PLC PROG. SUPPORT (4 of 4)	\$6,000,000.00	BAO Procurement Designee
Award 1 of 4 - Confined Space Rescue Services	\$325,000.00	BAO Procurement Designee
Award 2 of 4 - Confined Space Rescue Services	\$325,000.00	BAO Procurement Designee
Award 3 of 4 - Confined Space Rescue Services	\$325,000.00	BAO Procurement Designee
Award 1 of 7 - Videography Services	\$500,000.00	BAO Procurement Designee
Award 2 of 7 - Videography Services	\$500,000.00	BAO Procurement Designee
Award 3 of 7 -Videography Services	\$500,000.00	BAO Procurement Designee
Award 4 of 7 - Videography Services	\$500,000.00	BAO Procurement Designee
Award 5 of 7 - Videography Services	\$500,000.00	BAO Procurement Designee

Contract Name	Maximum NTE (All Contract Terms)	Approval Process
Award 6 of 7 - Videography Services	\$500,000.00	BAO Procurement Designee
Award 7 of 7 - Videography Services	\$500,000.00	BAO Procurement Designee
Board Audit Consultant Services	\$800,000.00	Board
Calhoun Canopy	\$55,197.85	BAO Procurement Designee
CalSim Modeling Analysis	\$350,000.00	Board
Canal Maintenance Program CEQA & Permitting Support	\$997,772.00	Board
Carpet and Flooring Installation Services	\$1,000,000.00	BAO Procurement Designee
Chemical Toilet Rental And Service	\$650,000.00	BAO Procurement Designee
PPE - Electricians	\$250,000.00	BAO Procurement Designee
Uniforms-Coveralls	\$73,850.00	BAO Procurement Designee
Uniforms-Electricians	\$250,000.00	BAO Procurement Designee
Cityworks Implementation CPRU Project	\$495,150.00	Board
CONFINED SPACE SERVICES	\$3,000,000.00	BAO Procurement Designee
LeSar Unhoused Consulting Services	\$168,940.00	BAO Procurement Designee
Coordinated Monitoring Program for Guadalupe River Watershed Mercury Total Maximum Daily Load	\$350,000.00	Board

Contract Name	Maximum NTE (All Contract Terms)	Approval Process
Deferred Compensation Plan Financial Advisor	\$225,000.00	Board
Dewatering Equipment Rental Services (1 of 4)	\$300,000.00	BAO Procurement Designee
Dewatering Equipment Rental Services (2 of 4)	\$300,000.00	BAO Procurement Designee
Dewatering Equipment Rental Services (3 of 4)	\$300,000.00	BAO Procurement Designee
Dewatering Equipment Rental Services (4 of 4)	\$300,000.00	BAO Procurement Designee
Drought Response Plan	\$294,762.00	Board
Emergency Management Training Services	\$500,000.00	BAO Procurement Designee
Environmental Planning and Permitting for the Stream Maintenance Program Renewal	\$2,137,452.00	Board
Expert Advisory Services for Fisheries and Aquatic Habitat Collaborative Effort (FAHCE)	\$225,000.00	CEO
Feasibility Study to Regionalize CRS Project	\$146,782.00	CEO
Financial Audit Services	\$435,436.00	Board
FISHBIO Mitigation and Monitoring Implementation Fisheries	\$999,839.00	Board
Fixture Replacement Program	\$2,300,000.00	BAO Procurement Designee
Fluxx Software Licensing (Grants Management Software)	\$165,280.00	BAO Procurement Designee
Funding Support Strategy Recycled & Purified Water	\$220,000.00	CEO

Contract Name	Maximum NTE (All Contract Terms)	Approval Process
Furnishing of Industrial Butterfly Valves SVAWPC	\$258,830.00	BAO Procurement Designee
Grant Application Guidelines & Requirements	\$225,000.00	CEO
Guadalupe River Mitigation Monitoring Water	\$1,195,956.00	Board
Haz Material Disposable-Emergency Response Services	\$500,468.75	BAO Procurement Designee
Industrial Coating and Painting Services	\$558,036.00	BAO Procurement Designee
Insurance Broker Services	\$303,000.00	Board
Integrated Invasive Plant Mgmt Program	\$1,487,782.00	Board
Janitorial Services	\$3,800,000.00	BAO Procurement Designee
Konica Copiers Business Support Services	\$679,482.00	BAO Procurement Designee
Landscape Water Use Evaluation Program Services	\$1,003,920.00	BAO Procurement Designee
Local Media Print Services	\$500,000.00	BAO Procurement Designee
Low Income Residential Water Rate Assistance Program (WRAP)	\$225,000.00	BAO Procurement Designee
Maintenance Services for Diesel Engine Generators, Diesel Pump	\$1,950,000.00	BAO Procurement Designee
Maximo As Needed Technical Support Services	\$323,013.75	BAO Procurement Designee
Maximo Mobile Application Configuration and Implementation	\$421,398.00	BAO Procurement Designee

Contract Name	Maximum NTE (All Contract Terms)	Approval Process
Media Advertising Services (Communications Unit)	\$2,521,363.17	BAO Procurement Designee
Mobile Work Health-COVID-19 Support Services	\$655,000.00	Board
Nondestructive Electromagnetic Inspection Services of West Pipeline	\$1,200,000.00	BAO Procurement Designee
NWRI to provide Independent Advisory Panel (IAP) for Evaluating Indirect Potable Reuse (IPR)	\$323,840.00	Board
On Call Facilities Landscape Services	\$1,490,380.00	BAO Procurement Designee
On-Call Recruitment Services	\$500,000.00	Board
On-Call 3rd Party Auditing Services (1 of 2)	\$550,000.00	Board
On-Call 3rd Party Auditing Services (2 of 2)	\$225,000.00	Board
On-Call Asset Management Services	\$1,100,000.00	Board
On-Call Biological Services Agreement (Multi Award #1 of 2)	\$2,000,000.00	Board
On-Call Biological Services Agreement (Multi Award #2 of 2)	\$2,000,000.00	Board
On-Call Biologist Support Svcs WS Ops & Maint	\$225,000.00	CEO
On-Call CM Services - Facilities (CM) (1 of 1)	\$500,000.00	Board
On-Call Communications & Outreach PFAS Support	\$225,000.00	CEO
On-Call Comprehensive Water Supply Consulting Svcs	\$225,000.00	CEO

Contract Name	Maximum NTE (All Contract Terms)	Approval Process
On-Call Electrical Maintenance Services	\$900,000.00	BAO Procurement Designee
On-Call Environmental Planning & Permitting Services (1 of 2)	\$3,000,000.00	Board
On-Call Environmental Planning & Permitting Services (2 of 2)	\$3,365,640.50	Board
On-Call Executive Recruitment (1 of 2) (Classified & Unclassified)	\$450,000.00	Board
On-Call Executive Recruitment (2 of 2) (Classified & Unclassified)	\$225,000.00	CEO
On-Call General Engineering Services - Facilities (1 of 4)	\$500,000.00	Board
On-Call General Engineering Services - Facilities (2 of 4)	\$500,000.00	Board
On-Call General Engineering Services - Facilities (3 of 4)	\$500,000.00	Board
On-Call General Engineering Services - Facilities (4 of 4)	\$500,000.00	Board
On-call Hydraulics, Hydrology, & Geomorphology Services (#1)	\$950,000.00	Board
On-call Hydraulics, Hydrology, & Geomorphology Services (#2)	\$950,000.00	Board
On-call Hydraulics, Hydrology, & Geomorphology Services (#3)	\$950,000.00	Board
On-Call IT Technical Support and Services-Audio Visual Board	\$300,000.00	Board
On-call Land Surveying & Mapping Services	\$2,000,000.00	Board
On-Call Management Services for Auditing Support (1 of 2)	\$500,000.00	Board

Contract Name	Maximum NTE (All Contract Terms)	Approval Process
On-Call Management Services for Auditing Support (2 of 2)	\$225,000.00	CEO
On-Call PFAS Professional & Technical Services	\$225,000.00	CEO
On-Call Public Opinion, Research, Survey & Polling Sr (1 of 3)	\$225,000.00	CEO
On-Call Public Opinion, Research, Survey & Polling Sr (2 of 3)	\$225,000.00	CEO
On-Call Public Opinion, Research, Survey & Polling Sr (3 of 3)	\$225,000.00	CEO
On-Call QA Consultant for QAPP - Stream Maintenance Program	\$225,000.00	CEO
On-Call Real Estate Support Services (1 of 4)	\$625,000.00	Board
On-Call Real Estate Support Services (2 of 4)	\$625,000.00	Board
On-Call Real Estate Support Services (3 of 4)	\$625,000.00	Board
On-Call Real Estate Support Services (4 of 4)	\$625,000.00	Board
On-Call Recruitment Services (1 of 4)	\$500,000.00	Board
On-Call Recruitment Services (2 of 4)	\$225,000.00	CEO
On-Call Recruitment Services (3 of 4)	\$225,000.00	CEO
On-Call Recruitment Services (4 of 4)	\$225,000.00	CEO
On-Call Strategic Planning Services-Board of Directors	\$225,000.00	CEO

Contract Name	Maximum NTE (All Contract Terms)	Approval Process
On-Call Technical Recruitment Services (1 of 6)	\$225,000.00	CEO
On-Call Technical Recruitment Services (2 of 6)	\$225,000.00	CEO
On-Call Technical Recruitment Services (3 of 6)	\$225,000.00	CEO
On-Call Technical Recruitment Services (4 of 6)	\$225,000.00	CEO
On-Call Technical Recruitment Services (5 of 6)	\$225,000.00	CEO
On-Call Technical Recruitment Services (6 of 6)	\$225,000.00	CEO
On-Call Technical Services	\$200,000.00	CEO
On-Call Water Quality Technical Services (1 of 3)	\$225,000.00	CEO
On-Call Water Quality Technical Services (2 of 3)	\$225,000.00	CEO
On-Call Water Quality Technical Services (3 of 3)	\$225,000.00	CEO
On-Call Water Resources & Stewardship Planning/Design Services (#1)	\$1,000,000.00	Board
On-Call Water Resources & Stewardship Planning/Design Services (#2)	\$1,000,000.00	Board
Outreach Services for Potable Water Reuse	\$225,000.00	CEO
PC-Vertical Rapid Mixer Replacement	\$388,150.00	BAO Procurement Designee
Phase 2 Study of SCC Steelhead Streams	\$720,000.00	Board

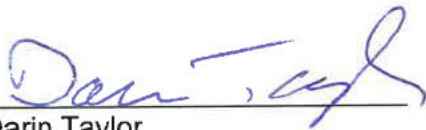
Contract Name	Maximum NTE (All Contract Terms)	Approval Process
Prelim Aquatic & Assoc Resource Delineation	\$123,842.00	CEO
Professional Occupational Health Services	\$774,577.50	BAO Procurement Designee
Property Tax Assessment for Safe, Clean Water	\$64,060.00	BAO Procurement Designee
Public Art Strategic Plan	\$225,000.00	CEO
Purchase of Godwin PUMP	\$60,400.23	BAO Procurement Designee
Redesign-Safe, Clean Water Grants & Partnership Prog	\$100,000.00	CEO
Risk Mgmt Plan Support for CalARP	\$75,000.00	BAO Procurement Designee
SCADA Cyber Security Auditor	\$797,357.00	Board
Security Component Maint/Prog/Replacement (1 of 2)	\$514,000.00	BAO Procurement Designee
Security Component Maint/Prog/Replacement (2 of 2)	\$514,000.00	BAO Procurement Designee
Security Services	\$9,215,176.46	BAO Procurement Designee
Shade Structure for the Administration Building Patio	\$318,355.00	BAO Procurement Designee
Skilled Labor Contract Services (Multi Award 1 of 3)	\$5,664,946.00	BAO Procurement Designee
Skilled Labor Contract Services (Multi Award 2 of 3)	\$2,491,025.49	BAO Procurement Designee
Skilled Labor Contract Services (Multi Award 3 of 3)	\$1,238,103.78	BAO Procurement Designee

Contract Name	Maximum NTE (All Contract Terms)	Approval Process
Sludge Removal and Disposal	\$1,459,100.00	BAO Procurement Designee
Special Inspection and Testing Services As Needed (1 of 3)	\$150,000.00	BAO Procurement Designee
Special Inspection and Testing Services As Needed (2 of 3)	\$450,000.00	BAO Procurement Designee
Special Inspection and Testing Services As Needed (3 of 3)	\$200,000.00	BAO Procurement Designee
State Lobbying Services	\$540,000.00	Board
Study on Water Use Projections, Water Demand	\$450,655.00	Board
STWTP Flat Roof Replacement	\$94,500.00	BAO Procurement Designee
Supplying and Delivering Filled Sandbags	\$1,500,000.00	BAO Procurement Designee
SWPPP Compliance Monitoring	\$225,000.00	CEO
Technical Evaluations & Studies	\$225,000.00	CEO
Temporary Services Temp/Intern Agency Payroll	\$2,315,781.76	BAO Procurement Designee
Tree Trimming Services (Multi Award 1 of 3)	\$626,083.28	BAO Procurement Designee
Tree Trimming Services (Multi Award 2 of 3)	\$300,000.00	BAO Procurement Designee
Tree Trimming Services (Multi Award 3 of 3)	\$592,461.00	BAO Procurement Designee
Uniforms/Clothing Allowance Programs	\$82,000.00	BAO Procurement Designee

Contract Name	Maximum NTE (All Contract Terms)	Approval Process
Valley Water Fleet Vehicle Purchases	\$5,000,000.00	BAO Procurement Designee
Valley Water Observer Agreement	\$164,455.00	BAO Procurement Designee
Vehicle and Equipment Wash Services	\$150,000.00	BAO Procurement Designee
WA DC Rep Srvs Admin Agencies & Executive Branch	\$384,000.00	Board
Washington D.C. Representation Srvs-Elected Officials	\$250,908.00	Board
Water Acquisition Advisory Services	\$225,000.00	CEO
Water Conservation On Line Shopping Cart Inventory	\$225,000.00	BAO Procurement Designee
Water Supply and Flood Protection Development Impact Fees Analyses	\$335,860.00	Board
Water Treatment Plant Temp Services (Emergency)	\$1,000,000.00	Board
Weed and Brush Abatement Services (1 of 2)	\$450,000.00	BAO Procurement Designee
Weed and Brush Abatement Services (2 of 2)	\$450,000.00	BAO Procurement Designee
WIFIA funding Support Services	\$1,500,000.00	Board
Wildfire Risk Assessment & Modeling Framework	\$225,000.00	CEO
WQL Syserco Service and Support Program	\$153,499.00	BAO Procurement Designee
Xerox Lease for Reprographics Equipment	\$215,042.16	BAO Procurement Designee

TO: Board of Directors**FROM:** Darin Taylor**SUBJECT:** Response to request from the Board to
provide Detailed Budget**DATE:** May 10, 2024

At the April 24, 2024, special Board meeting, Directors Eisenberg and Beall requested to see a Detailed Budget, which shows line-item budget detail by project. Staff has prepared the file and, due to the large size of the file, has posted it at the following Valley Water website location to facilitate easiest reference: <https://www.valleywater.org/how-we-operate/finance-budget>. In addition, a hard copy will be made available for Board reference at the May 14, 2024 Board meeting.



Darin Taylor
Chief Financial Officer
Office of the Chief Executive Officer

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-23-0045	02/23/23	02/24/23	All	MELISSA MALLORY	EMail from Melissa Mallory regarding unhouse along Los Gatos Creek Trail.	Refer to Staff	Blank	Codianne Yerrapotu	03/04/23	03/03/23	n/a	03/10/23
C-23-0076	03/31/23	04/03/23	All	H.K. WILLARD	Email from H.K. Willard to the Board dated 3/31/23 regarding misleading information in March Water News.	Refer to Staff	Gibson	Rocha	04/11/23	04/07/23	n/a	04/17/23
C-23-0101	05/12/23	05/12/23	All	STEVE KELLY	Email from Steve Kelly, to the Board, dated 5/12/23, regarding concern for unhoused that may cause threats to residents living near the creeks in Santa Clara.	Refer to Staff	Blank Yerrapotu	Codianne	05/20/23	05/22/23	n/a	05/26/23
C-23-0211	08/24/23	08/24/23	Varela	LUIS RAMIREZ	Email from Luis Ramirez to Chair Varela, dated 8/24/23, regarding homeless in Gilroy on Valley Water property.	Refer to Staff	Hakes	Codianne	09/01/23	08/30/23	n/a	09/07/23

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-23-0212	08/24/23	08/24/23	Santos	ERIC HA	Email from Eric Ha to Director Santos, dated 8/24/23, regarding unhoued individual setting fire behind property.	Refer to Staff	Hakes	Codianne	09/01/23	08/30/23	n/a	09/07/23
C-23-0235	09/21/23	09/22/23	All	JESSICA CALDERON	Email from Jessica Calderon to the Board, dated 9/21/22 regarding the unhoued at Church st./Howson Creek Monterey Road/Howson Creek, Gilroy.	Refer to Staff	Hakes	Codianne	09/30/23	09/25/23	n/a	10/06/23
C-23-0239	09/24/23	09/25/23	Beall	KATHLEEN O'CONNELL	Emal from Kathleen O'Connell to the Director Beall, dated 9/24/23, regarding Water Resource Protection Zone at the upcoming Cherry Avenue EIH project.	Refer to Staff	Hakes	Codianne	10/03/23	09/27/23	n/a	10/09/23
C-23-0266	10/31/23	10/31/23	All	JOHN GUISLIN	Email from John Guislin	Refer to Staff	Hakes	Yerrapotu	11/08/23	11/06/23	n/a	11/14/23

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
					to the board, dated 10/31/23, expressing concern for Creek Flooding mitigation along San Francisquito Creek.							
C-23-0267	11/03/23	11/03/23	Varela	ROCHELLE BEERLI	Email from Rochelle Beerli to Chair Varela, dated 11/03/23, conveying questions about Pacheco Dam.	Refer to Staff	Richardson	Mccarter	11/11/23	11/16/23	n/a	11/17/23
C-23-0293	12/04/23	12/07/23	Beall	AFSHIN ROUHANI	Email from Afshin Rouhani to Director Beall, dated 12/04/23, regarding Anderson Dam options.	Refer to Staff	Richardson	Mccarter	12/15/23	12/18/23	n/a	12/21/23
C-24-0007	01/11/24	01/11/24	Beall	ROGER CASTILLO	Email from Roger Castillo to Director Beall, dated 1/12/23, conveying a copy of the "12-29-23 101 Bayshore Chinook	Refer to Staff	Hakes	Codianne	01/19/24	01/16/24	n/a	01/25/24

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
					killed" document.							
C-24-0011	01/13/24	01/16/24	All	TIFFANY HOWARD	Email from Tiffany Howard to the board, dated 01/13/04, regarding the unhouse in the creek behind her home.	Refer to Staff	Hakes	Codianne	01/24/24	01/22/24	n/a	01/30/24
C-24-0017	01/25/24	01/26/24	Eisenberg	JOHN GUISLIN	Email from John Guislin to Director Eisenberg, dated 01/25/24, regarding SFCJPA reconsideration of 6 foot cement walls by creek.	Refer to Staff	Hakes	Yerrapotu	02/03/24	02/01/24	n/a	02/09/24
C-24-0044	02/23/24	02/23/24	All	MEEKA MARTIN	Email from Meeka Martin to the board, dated 02/23/24, regarding trash along Sanchez Ponds near the Brookdale complex.	Refer to Staff	Hakes	Codianne	03/02/24	03/01/24	n/a	03/08/24
C-24-0054	03/03/24	03/04/24	All	BRIGITTE RINCE	Email from Mark Bolger and Brigitte Rince to the board, dated 03/03/24,	Refer to Staff	Hakes	Bilski Codianne	03/12/24	03/11/24	n/a	03/18/24

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
					regarding unshelterd near their home at 967 Chynoweth Avenue, San Jose.							
C-24-0055	03/05/24	03/05/24	All	STEPHEN MEIER	Email for Stephen Meier to the Board, dated 03/05/24, regarding remediation of the plastic and fabric carpets lining the bank of the salt pond.	Refer to Staff	Hakes	Codianne	03/13/24	03/07/24	n/a	03/19/24
C-24-0061	03/12/24	03/12/24	All	KARIN ALVAREZ	Email from Karin Alvarez to the board, dated 03/12/24, regarding unsheltered encampment at Lelong in San Jose.	Refer to Staff	Hakes	Bilski Codianne	03/20/24	03/20/24	n/a	03/26/24
C-24-0062	03/12/24	03/12/24	Beall	JAKOB JONES	Email from Jakob Jones to Director Beall, dated 03/12/24, with additional questions regarding Almaden - Guadalupe Creek Homeless Encampment	Refer to Staff	Hakes	Bilski Codianne	03/20/24	03/20/24	n/a	03/26/24

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-24-0063	03/11/24	03/11/24	All	JIM KUHL	Email from Jim Kuhl to the Board, dated 03/11/24, requesting answers to his questions/comments made at the 2/13/24 Board meeting about Pacheco.	Refer to Staff	Yoke	Mccarter	03/19/24	03/19/24	n/a	03/25/24
C-24-0071	03/18/24	03/18/24	All	MARK BOLGER	Email from Mark Bolger dated 3/18/24 requesting a temporary fence near Blossom Valley Lake	Refer to Staff	Hakes	Bilski Codianne	03/26/24	03/26/24	n/a	04/01/24
C-24-0072	03/19/24	03/19/24	All	MARK BOLGER	Email from Mark Bolger dated 3/19/24 requesting a fence near Blossom Valley Lake. This is similar to the email sent on 3/18/24.	Refer to Staff	Hakes	Bilski Codianne	03/27/24	03/26/24	n/a	04/02/24
C-24-0076	03/23/24	03/25/24	Beall	REA FREEDOM private citizen	Email from Rea Freedom to Director Beall, dated 03/23/24 regarding the emptying of	Refer to Staff	Baker	Williams	04/02/24	03/29/24	n/a	04/08/24

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-24-0100	04/21/24	04/22/24	All	JENNIFER BEAN	Vasona. Email from Jennifer Bean to the board, dated 04/20/24, reprint potential unauthorized removal of water from creek.	Refer to Staff	Hakes	Infante Bourgeois	04/30/24	04/25/24	n/a	05/06/24
C-24-0107	04/24/24	04/24/24	Cc: Beall	PAUL MONACO	Email from constituent regarding CRC R322 floodplain requirements	Refer to Staff	Hakes	Infante	05/02/24	05/01/24	n/a	05/08/24
C-24-0122	05/06/24	05/06/24	Cc: Beall	PATRICK ALONGI	Email from Patrick Alongi to the board dated 05/06/24, requesting tree trimmings on Cross Springs Drive be removed.	Noted and Filed	Hakes	Codianne	05/14/24	05/08/24	n/a	05/20/24

From: [Kelley, Scott](#)
To: [Debbie Tedsen](#); [Jim Beall](#); [Tony Estremera](#); [Board of Directors](#); [Feliciano Aguilar](#)
Cc: [Ivy Preston](#); [Shannon Pichler](#); [Amy Nevarez](#); [Humphrey, Teresina](#); [Coffaro, Nicholas](#)
Subject: RE: Homeless Encampment Located adjacent to Sofi Los Gatos Creek Apartments 2130 Southwest Expy San Jose, CA
Date: Thursday, May 2, 2024 12:12:24 PM
Attachments: [Sofi Los Gatos Creek Homeless Back Ups.msg](#)

***** 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. *****

Valley Water team,

Amy was kind enough to compile the attached documentation highlighting all of the recent incidents created by the unhoused community as requested by Feliciano and Ron. We hope that you are able to take further action to relocate this unhoused community that is currently residing against the fence line behind the 2140, 2100, and 2090 buildings. The safety of our residents depend on this.

Best,
Scott

Scott Kelley


skelley@pacificurbaninvestors.com

From: Kelley, Scott
Sent: Friday, April 26, 2024 10:33 AM
To: [Debbie Tedsen <debbie.tedsen@fpimgt.com>](mailto:debbie.tedsen@fpimgt.com); jbeall@valleywater.org; testremera@valleywater.org; Board@valleywater.org; faguilar@valleywater.org
Cc: [Ivy Preston <ivy.preston@fpimgt.com>](mailto:ivy.preston@fpimgt.com); [Shannon Pichler <shannon.pichler@fpimgt.com>](mailto:shannon.pichler@fpimgt.com); [Amy Nevarez <amy.nevarez@fpimgt.com>](mailto:amy.nevarez@fpimgt.com); [Humphrey, Teresina <thumphrey@pacificurbaninvestors.com>](mailto:thumphrey@pacificurbaninvestors.com); [Coffaro, Nicholas <ncoffaro@pacificurbaninvestors.com>](mailto:ncoffaro@pacificurbaninvestors.com)
Subject: RE: Homeless Encampment Located adjacent to Sofi Los Gatos Creek Apartments 2130 Southwest Expy San Jose, CA

Debbie,

Thank you for sending this thoughtful email. Amy, Sam and I got a chance to briefly meet with Feliciano and Ron on site yesterday. It sounds like we have a pretty good case for abatement considering the fire hazards, and the digging into the banks that has occurred. Feliciano and Ron said it would help tremendously for the FPI team to compile a case file including photos, police reports, incident reports, receipts, invoices, as well as rent loss and move-outs that were caused by the unhoused population behind the property. I am told this file will be put in front of the CEO to make a decision on the abatement behind our property. It sounds like timing is of the essence, so if we an

have this compiled and sent to valley water by mid/early next week that would help out chance of abatement at the time of cleanup around May 8th.

Best,
Scott

Scott Kelley

skelley@pacificurbaninvestors.com

From: Debbie Tedsen <debbie.tedsen@fpimgt.com>

Sent: Tuesday, April 23, 2024 6:17 PM

To: jbeall@valleywater.org; testremera@valleywater.org; Board@valleywater.org

Cc: Ivy Preston <ivy.preston@fpimgt.com>; Shannon Pichler <shannon.pichler@fpimgt.com>; Amy Nevarez <amy.nevarez@fpimgt.com>; Kelley, Scott <skelley@pacificurbaninvestors.com>; Humphrey, Teresina <thumphrey@pacificurbaninvestors.com>; Coffaro, Nicholas <ncoffaro@pacificurbaninvestors.com>

Subject: Homeless Encampment Located adjacent to Sofi Los Gatos Creek Apartments 2130 Southwest Expy San Jose, CA

Hello, SC Valley Water District Board Members,

We wanted to inform you about a pressing issue impacting our community at Sofi Los Gatos Creek Apartments, located at 2130 Southwest Expy. in San Jose. Adjacent to our property lies a homeless encampment, which falls under the jurisdiction of the Santa Clara Valley Water District. As representatives of our community's ownership, we are deeply concerned about the adverse effects this encampment is having on the environment and the safety of our residents and those experiencing homelessness.

While we acknowledge the complexity of homelessness and advocate for compassionate and comprehensive solutions, the current state of affairs at 2130 Southwest Expy. poses significant environmental and safety hazards. The encampment has led to escalated levels of littering, waste accumulation, unauthorized and unregulated electricity use, and potential contamination of nearby water sources. Moreover, there have been reports of incidents jeopardizing the safety and well-being of our residents and individuals within the encampment.

We recognize the Santa Clara Valley Water District's commitment to safeguarding our water sources and ensuring community safety. So, we're urgently reaching out for your help in dealing with this. We firmly believe that a collaborative approach involving the water district, local authorities, and pertinent social services is critical to a resolution that benefits all parties involved.

We know the complexities of tackling homelessness and deeply value any efforts to find humane and effective solutions. We trust that the Santa Clara Valley Water District will consider this matter and explore viable options for removing the encampment while extending support to those experiencing homelessness.

Thank you for your swift attention to this issue. We are excited to hear about the measures that can be taken to address the concerns outlined in this correspondence.

I have attached photos and the letter written in this email for you to share with others who can help.

Thank you for taking the time to look into this matter. We look forward to hearing from you soon.

Debbie Tedsen-Senior Director

Office: 916-850-4451 | Cell: [REDACTED]

[#FPIPledgesAcceptance](#)



A-1 FENCE INC.

14820 STORY ROAD
 SAN JOSE, CA 95127
 PHONE: (408) 259-2955
 FAX: (408) 259-2863

INVOICE

DATE	INVOICE#
7/25/2022	13608

BILL TO
SOFI AT LOS GATOS CREEK 2130 SOUTHWEST EXPWY SAN JOSE, CA 95126

PROJECT
SAME

PLEASE PUT INVOICE NUMBER ON PAYMENT

P.O. NO	TERMS
	UPON RECEIPT

DESCRIPTION	AMOUNT
REPAIR: EXISTING 6H 9GA CHAIN LINK FENCE W/ RED PLASTIC SLATS.	550.00
FIX: 1- HOLE. 2' OF 6H 9GA CHAIN LINK FABRIC W/ RED PLASTIC SLATS.	
THANK YOU FOR YOUR BUSINESS	TOTAL \$550.00

A-1 FENCE INC.

14820 STORY ROAD
 SAN JOSE, CA 95127
 PHONE: (408) 259-2955
 FAX: (408) 259-2863

INVOICE

DATE	INVOICE#
12/19/2022	13978

BILL TO
SOFI AT LOS GATOS CREEK 2130 SOUTHWEST EXPWY SAN JOSE, CA 95126

PROJECT
SAME (SAN JOSE)

PLEASE PUT INVOICE NUMBER ON PAYMENT

P.O. NO	TERMS
	UPON RECEIPT

DESCRIPTION	AMOUNT
REPAIR; EXISTING 6H CHAIN LINK FENCE FIX: 1- HOLE	550.00
THANK YOU FOR YOUR BUSINESS	TOTAL 550.00

A-1 FENCE INC.

14820 STORY ROAD
 SAN JOSE, CA 95127
 PHONE: (408) 259-2955
 FAX: (408) 259-2863

INVOICE

DATE	INVOICE#
12/19/2022	13978

BILL TO
SOFI AT LOS GATOS CREEK 2130 SOUTHWEST EXPWY SAN JOSE, CA 95126

PROJECT
SAME (SAN JOSE)

PLEASE PUT INVOICE NUMBER ON PAYMENT

P.O. NO	TERMS
	UPON RECEIPT

DESCRIPTION	AMOUNT
REPAIR: EXISTING 6H CHAIN LINK FENCE FIX: 1- HOLE.	550.00
THANK YOU FOR YOUR BUSINESS	TOTAL \$550.00

A-1 FENCE INC.

14820 STORY ROAD
 SAN JOSE, CA 95127
 PHONE: (408) 259-2955
 FAX: (408) 259-2863

INVOICE

DATE	INVOICE#
1/27/2023	14066

BILL TO
SOFI AT LOS GATOS CREEK 2130 SOUTHWEST EXPWY SAN JOSE, CA 95126

PROJECT
SAME

PLEASE PUT INVOICE NUMBER ON PAYMENT

P.O. NO	TERMS
	UPON RECEIPT

DESCRIPTION	AMOUNT
REPAIR: EXISTING 6'H 9GA CHAIN LINK FENCE w/ RED PLASTIC SLATS. REPLACE: 3' OF 6'H 9GA CHAIN LINK FABRIC w/ RED PLASTIC SLATS. 3' OF 1 5/8" TOP & BOTTOM RAIL. REPAIR: EXISTING 6'H 11GA CHAIN LINK FENCE. FIX: 1- HOLE. 1' OF 6'H 11GA CHAIN LINK FABRIC. 3' OF 5'H GALVANIZED HORSE PANEL.	950.00
THANK YOU FOR YOUR BUSINESS	TOTAL \$950.00

A-1 FENCE INC.

14820 STORY ROAD
 SAN JOSE, CA 95127
 PHONE: (408) 259-2955
 FAX: (408) 259-2863

INVOICE

DATE	INVOICE#
4/5/2023	14241

BILL TO
FPI MANAGEMENT 800 IRON POINT RD FOLSOM, CA 95630

PROJECT
SOFI LOS GATOS CREEK 2130 SOUTHWEST EXPWY LOS GATOS, CA

PLEASE PUT INVOICE NUMBER ON PAYMENT

P.O. NO	TERMS
	UPON RECEIPT

DESCRIPTION	AMOUNT
REPAIR: EXISTING 6'H 9GA CHAIN LINK FENCE w/ RED PLASTIC SLATS. FIX: 1-MAKE-IN, REPLACE: 5- 2 3/8" TENSION BANDS, RE-INSTALL: 20' OF EXISTING 6'H 9GA CHAIN LINK FABRIC w/ RED PLASTIC SLATS.	950.00
THANK YOU FOR YOUR BUSINESS	TOTAL \$950.00

A-1 FENCE INC.

14820 STORY ROAD
 SAN JOSE, CA 95127
 PHONE: (408) 259-2955
 FAX: (408) 259-2863

INVOICE

DATE	INVOICE#
5/18/2023	14356

BILL TO
SOFI AT LOS GATOS CREEK 2130 SOUTHWEST EXPWY SAN JOSE, CA 95126

PROJECT
SAME

PLEASE PUT INVOICE NUMBER ON PAYMENT

P.O. NO	TERMS
	UPON RECEIPT

DESCRIPTION	AMOUNT
REPAIR: EXISTING 6H 9GA CHAIN LINK SINGLE SWING GATE W/ RED PLASTIC SLATS. FIX: 1-HOLE.	550.00
THANK YOU FOR YOUR BUSINESS	TOTAL 550.00

A-1 FENCE INC.

14820 STORY ROAD
 SAN JOSE, CA 95127
 PHONE: (408) 259-2955
 FAX: (408) 259-2863

INVOICE

DATE	INVOICE#
11/30/2023	14813

BILL TO
FPI MANAGEMENT 2130 SOUTHWEST EXPW SAN JOSE, CA 95126

PROJECT
FENCE REPAIRS - HOLES IN FENCE

PLEASE PUT INVOICE NUMBER ON PAYMENT

P.O. NO	TERMS
	UPON RECEIPT

DESCRIPTION	AMOUNT
REPAIR: EXISTING 6'H 9GA CHAIN LINK FENCE w/ RED PLASTIC SLATS. FIX: 3-HOLES. 4' OF 6'H 9GA CHAIN LINK FABRIC w/ RED PLASTIC SLATS. 1' OF 6'H 9GA CHAIN LINK FABRIC. ADD: 6' OF 5'H GALVANIZED HORSE PANEL. REPLACE: 1-TENSION BAR & BANDS. STRAIGHTEN: 1- EXISTING 4" GATE POST, BEST AS POSSIBLE.	1,500.00
THANK YOU FOR YOUR BUSINESS	TOTAL \$1,500.00

A-1 FENCE INC.

14820 STORY ROAD
 SAN JOSE, CA 95127
 PHONE: (408) 259-2955
 FAX: (408) 259-2863

INVOICE

DATE	INVOICE#
1/29/2024	14944

BILL TO
FPI MANAGEMENT 2130 SOUTHWEST EXPW SAN JOSE, CA 95126

PROJECT
SAME

PLEASE PUT INVOICE NUMBER ON PAYMENT

P.O. NO	TERMS
	UPON RECEIPT

DESCRIPTION	AMOUNT
REPAIR: EXISTING 6'H 9GA CHAIN LINK FENCE w/ RED PLASTIC SLATS. REPLACE: 5- 4" TENSION BANDS. 5- 2 3/8" TENSION BANDS. FIX: 1- 1' HOLE. WELD: 1- EXISTING HORSE PANEL TO 1- EXISTING POST, AS NEEDED.	750.00
THANK YOU FOR YOUR BUSINESS	TOTAL \$750.00

A-1 FENCE INC.

14820 STORY ROAD
 SAN JOSE, CA 95127
 PHONE: (408) 259-2955
 FAX: (408) 259-2863

INVOICE

DATE	INVOICE#
2/27/2024	15000

BILL TO
FPI MANAGEMENT 2130 SOUTHWEST EXPW SAN JOSE, CA 95126

PROJECT
2032 SOUTH WEST EXPW

PLEASE PUT INVOICE NUMBER ON PAYMENT

P.O. NO	TERMS
	UPON RECEIPT

DESCRIPTION	AMOUNT
REPAIR: EXISTING 6'H 11GA CHAIN LINK FENCE. REPLACE: 2- 2 3/8" LINE POSTS, SET 2' IN CONCRETE. 130' OF 6'H 11 GA CHAIN LINK FABRIC. 2- BRACES. (REMOVE & HAUL AWAY: EXISTING DAMAGED MATERIALS.)	4,950.00
THANK YOU FOR YOUR BUSINESS	TOTAL \$4,950.00

ANGEL'S MAINTENANCE SERVICES CORP.

539 Weatherly Dr
San Jose, CA 95134 US
(408) 422-9020
gabriel@angelspainting.org

INVOICE

BILL TO:
SOFIAT LOS GATOS CREEK
2130 SOUTHWEST EXPRESSWAY
SAN JOSE, CA 95126

INVOICE DDC048165
DATE 03/02/2024
TERMS Net 30
DUE DATE 04/01/2024

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
01/19/2024	24 Paint	ESTIMATE TO REPLACE EXTERIOR WOOD FENCE BY BIULDING 2032 LABOR AND MATERIAL	1	3,900.00	3,900.00

BALANCE DUE **\$3,900.00**

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Page 1 of 2

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Please Pay From Invoice
 Terms: Net 30 Days
 A minimum late charge of \$2.00 or 1.5% per month (18% per year) is charged on past due invoices.

HD Supply Facilities Maintenance, Ltd. Federal ID 52-2418852

				Invoice Date	Invoice Number
				12/18/2023	9221591306
Customer Number	Ordered By	Authorized By	Order Number	Purchase Order Number	
6067413	SAM PEREZ		W223051799		

Ship To:

SOFI AT LOS GATOS CRK / PMIORCHARDRDG
 2130 SOUTHWEST EXPY OFC
 SAN JOSE CA 95126-4664

SOFI AT LOS GATOS CRK/PMIORCHARDRDG
 2130 SOUTHWEST EXPY, OFC
 SAN JOSE CA 95126-4621

Stock Number	Description	GL Account	Ordered	Shipped	Unit Price	Unit	Extension	
126452	Kidde Fire Extinguisher 2-a 10-b C	6541-901	10	10	66.61	EA	666.10	
126471	Replacement Glass For Hds#126470	6541-901	10	10	9.94	EA	99.40	
126470	Steel Fire Extinguisher Cabinet Up To 5lb	6541-901	30	30	46.63	EA	1,398.90	
							Sub Total	2,164.40
							Sales Tax	202.91
							Freight	0.00
							TOTAL	2,367.31

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Question? Call Roberta Dominguez at 800-798-8888 ext:67379 or email Roberta.Dominguez@hdsupply.com

Continued...



For proper credit to your account, please do not staple check to remittance form.

Please return this portion with payment.

Thank you for your order.

6067413
 SOFI AT LOS GATOS CRK / PMIORCHARDRDG
 2130 SOUTHWEST EXPY OFC
 SAN JOSE CA 95126-4664

Invoice Number: 9221591306
 Amount Due: 2,367.31
 Date Due: 01/17/2024

Amount Paid: _____

If amount paid differs from amount due, please check and explain on back.

Mail To:

HD Supply Facilities Maintenance, Ltd.
 P.O. Box 509058
 San Diego, CA 92150-9058

1 0 0006067413 9221591306 000000000236731 2



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Credit/Account Information
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Please Pay From Invoice
Terms: Net 30 Days
 A minimum late charge of \$2.00 or 1.5% per month (18% per year) is charged on past due invoices.

HD Supply Facilities Maintenance, Ltd. Federal ID 52-2418852				Invoice Date 04/05/2024	Invoice Number 9224779172
Customer Number 6067413	Ordered By SAM PEREZ	Authorized By	Order Number W224743261	Purchase Order Number	

Ship To:

SOFI AT LOS GATOS CRK / PMIORCHARDRDG
 2130 SOUTHWEST EXPY OFC
 SAN JOSE CA 95126-4664

SOFI AT LOS GATOS CRK/PMIORCHARDRDG
 2130 SOUTHWEST EXPY, OFC
 SAN JOSE CA 95126-4621

Stock Number	Description	GL Account	Ordered	Shipped	Unit Price	Unit	Extension
126452	Kiddie Fire Extinguisher 2-a 10-b C	6541-901	5	5	66.61	EA	333.05

Ship Date 04/05/2024	Sub Total 333.05
Pkg Count 2	Sales Tax 31.22
Weight 35.28 LB	Freight 0.00
DLVR1	TOTAL 364.27

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Question? Call Roberta Dominguez at 800-739-8688 ext 6173/9 or email Roberta.Dominguez@hdsupply.com

Continued...



Invoice Number: 9224779172
 Amount Due: 364.27
 Date Due: 05/05/2024

For proper credit to your account, please do not send a check to this office from.

Please return this portion with payment.

Thank you for your order.

Amount Paid: _____

If amount paid differs from amount due, please check and explain on back.

Mail To:

6067413
 SOFI AT LOS GATOS CRK / PMIORCHARDRDG
 2130 SOUTHWEST EXPY OFC
 SAN JOSE CA 95126-4664

HD Supply Facilities Maintenance, Ltd.
 P.O. Box 509058
 San Diego, CA 92150-9058

1 0 0006067413 9224779172 000000000036427 4

Incident/Injury Report

Instructions: This form shall NOT be used to document employee injuries (refer to FPI's state-specific Work Injury Handling packets). All serious incidents or injuries involving Residents, Residents' Guests, Visitors, or otherwise must be reported to 911 or the most appropriate agency immediately. Information regarding the incident must then be reported to the Portfolio Manager immediately or as soon as practicable. Complete all relevant sections of this document and submit to your PM immediately following the incident or notification of the incident. Refer to SOP 6050: Incident Reporting and Insurance Claims for further specific guidance.

*** BE ADVISED: DO NOT MAKE ANY PUBLIC/MEDIA STATEMENTS ABOUT THE SITUATION ***

INCIDENT Information <input type="checkbox"/> Additional Attachments			
Property Name: SOFI LOS GATOS CREEK			Code: I78
Property Address: 2130 SOUTHWEST EXPRESSWAY SAN JOSE, CA 95126			
Specific Location of Incident: CARPORT #21 BY BUILDING 2100			
Community Director Name: CARLINA RUEDA		Phone: 408-295-1227	
Portfolio Manager Name: JESSICA RODRIGUEZ		Phone: 510-386-7949	
Date of Incident: 1/9/2023	Time: <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Reporting Person: ENRIQUE BENITEZ	Phone: 408-295-1227
Date Reported: 1/10/2023	Time: <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM 10:00	Incident Reported to: <input type="checkbox"/> Sheriff <input type="checkbox"/> Police <input type="checkbox"/> CHP <input type="checkbox"/> Fire Dept. <input type="checkbox"/> EMS <input type="checkbox"/> Coast Guard <input checked="" type="checkbox"/> None <input type="checkbox"/> Other:	Report #:
Date Reported to PM: 1/10/2023	Time: <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM 10:00	Reporting Person: CARLINA RUEDA	Phone: 408-295-1227
Type of Incident: <input checked="" type="checkbox"/> Suspected Crime Against Person <input type="checkbox"/> Suspected Crime Against Property <input type="checkbox"/> Flood <input type="checkbox"/> Tornado <input type="checkbox"/> Fire <input type="checkbox"/> Hurricane <input type="checkbox"/> Severe Weather <input type="checkbox"/> Water Damage <input type="checkbox"/> Bomb Threat <input type="checkbox"/> Explosion <input type="checkbox"/> Suspicious Package <input type="checkbox"/> Earthquake <input type="checkbox"/> Utility Outage/Failure <input type="checkbox"/> Medical <input type="checkbox"/> Resident/Guest Injury <input type="checkbox"/> Workplace Violence <input type="checkbox"/> Hazardous Material <input type="checkbox"/> Auto* ^{see below} <input checked="" type="checkbox"/> Other: CAR BROKEN INTO			
*Auto Insurance: Request proof if property damage/injury involves a vehicle. <input type="checkbox"/> Proof of auto insurance provided <input type="checkbox"/> Refused to provide <input type="checkbox"/> Other:			
Environmental Impact: Refer to specific FPI Environmental Compliance Programs for asbestos, lead, mold, or other environmental concerns.			
Notifications: <input type="checkbox"/> Corporate <input type="checkbox"/> Entire Community <input type="checkbox"/> Occupants in select units <input checked="" type="checkbox"/> Other: NONE			
Protective Actions: <input type="checkbox"/> Full Property Evacuation <input type="checkbox"/> Partial Evacuation (specific floors/buildings) <input type="checkbox"/> Shelter in Place <input type="checkbox"/> Lockdown <input checked="" type="checkbox"/> None <input type="checkbox"/> Other:			
Weather Conditions: <input checked="" type="checkbox"/> Raining <input checked="" type="checkbox"/> Wet <input type="checkbox"/> Active snow or sleet <input type="checkbox"/> Snow on ground <input type="checkbox"/> Ice <input type="checkbox"/> Fog <input checked="" type="checkbox"/> Overcast <input type="checkbox"/> Dry <input type="checkbox"/> High temperature <input type="checkbox"/> Sunny <input type="checkbox"/> Other:			
Lighting: <input checked="" type="checkbox"/> Dim daylight <input type="checkbox"/> Bright daylight <input type="checkbox"/> Nighttime, artificial lighting functional <input type="checkbox"/> Nighttime, no artificial lighting			
Photos taken of scene? <input type="checkbox"/> Yes (attached) <input checked="" type="checkbox"/> No Why? Explain: THE AREA WAS CLEANED UP		Other documentation:	
Incident Description <input type="checkbox"/> Additional Attachments			
Description: (include exact location, building, floor, area, nature of incident, etc., but EXCLUDE MENTION OF CAUSE) FISH AND WILDLIFE TRUCK PARKED IN CARPORT #21 BELONGING TO RESIDNET LIVING IN 2120-17 WAS BROKEN INTO.			

Witnesses (please attach extra paper as necessary for additional witnesses) <input type="checkbox"/> Additional Attachments	
Witness 1:	Full Name: <input type="checkbox"/> Adult <input type="checkbox"/> Minor <input type="checkbox"/> Undetermined
	Email address: Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work
	Address:
	Description of involvement: Statement Received? <input type="checkbox"/> Yes <input type="checkbox"/> No
Witness 2:	Full Name: <input type="checkbox"/> Adult <input type="checkbox"/> Minor <input type="checkbox"/> Undetermined
	Email address: Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work
	Address:
	Description of involvement: Statement Received? <input type="checkbox"/> Yes <input type="checkbox"/> No

INJURY Information (please attach extra paper as necessary for additional injured parties) <input type="checkbox"/> Add'l Attachments	
Full Name of Injured Party:	
Complete Address:	
Email address:	
Date of Birth:	Occupation: Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work
<input type="checkbox"/> Resident <input type="checkbox"/> Resident's Guest <input type="checkbox"/> Vendor	If Resident's Guest, Name & Unit Number of Resident:
<input type="checkbox"/> Other:	
Is Medical Attention Required (or does the injured party intend to seek treatment)? <input type="checkbox"/> Yes <input type="checkbox"/> No	Treating Facility: Phone: Fax:
Body Part(s) Injured: <input type="checkbox"/> Head <input type="checkbox"/> Ear(O/L/R) <input type="checkbox"/> Eye(O/L/R) <input type="checkbox"/> Cheek(O/L/R) <input type="checkbox"/> Lip(s) <input type="checkbox"/> Teeth <input type="checkbox"/> Jaw <input type="checkbox"/> Nose <input type="checkbox"/> Neck <input type="checkbox"/> Upper Back <input type="checkbox"/> Mid Back <input type="checkbox"/> Lower Back <input type="checkbox"/> Chest <input type="checkbox"/> Abdomen <input type="checkbox"/> Shoulder(O/L/R) <input type="checkbox"/> Upper Arm(O/L/R) <input type="checkbox"/> Elbow(O/L/R) <input type="checkbox"/> Lower Arm(O/L/R) <input type="checkbox"/> Wrist(O/L/R) <input type="checkbox"/> Hand(O/L/R) <input type="checkbox"/> Thumb(O/L/R) <input type="checkbox"/> Fingers <input type="checkbox"/> Buttocks <input type="checkbox"/> Hip(O/L/R) <input type="checkbox"/> Upper Leg(O/L/R) <input type="checkbox"/> Knee(O/L/R) <input type="checkbox"/> Lower Leg(O/L/R) <input type="checkbox"/> Ankle(O/L/R) <input type="checkbox"/> Foot(O/L/R) <input type="checkbox"/> Toes <input type="checkbox"/> Other: (include detail below)	
Bleeding Observed: <input type="checkbox"/> Yes <input type="checkbox"/> No	Type of Injury: <input type="checkbox"/> Sprain/Strain <input type="checkbox"/> Laceration <input type="checkbox"/> Contusion <input type="checkbox"/> Fracture <input type="checkbox"/> Other
Describe Injury in Detail (please attach extra paper as necessary should more space be needed for a thorough description):	
Injury <input type="checkbox"/> WAS / <input type="checkbox"/> WAS NOT witnessed by person completing the report	

Action Plan (identify what actions you believe are required to stabilize/manage the incident) <input type="checkbox"/> Add'l Attachments	
Actions: THE AREA WITH GLASS WAS ALL CLEANED AND RESIDENT WENT TO GET WINDOW FIXED. HE SAID NOTHING WAS STOLEN SINCE HE DIDNT HAVE ANYTHING INSIDE.	

Full Name of Person Completing Report: AMY NEVAREZ	
Work Location: SOFI LOS GATOS CREEK	Code: 178
Position: ASSISTANT COMMUNITY DIRECTOR	Phone: 408-295-1227 <input type="checkbox"/> Home <input type="checkbox"/> Cell <input checked="" type="checkbox"/> Work

Upon completion, submit to PM for review. File within the Resident File and Incident Report Binder.

Incident/Injury Report

Instructions: This form shall NOT be used to document employee injuries (refer to FPI's state-specific Work Injury Handling packets). All serious incidents or injuries involving Residents, Residents' Guests, Visitors, or otherwise must be reported to 911 or the most appropriate agency immediately. Information regarding the incident must then be reported to the Portfolio Manager immediately or as soon as practicable. Complete all relevant sections of this document and submit to your PM immediately following the incident or notification of the incident. Refer to SOP 6050: Incident Reporting and Insurance Claims for further specific guidance.

*** BE ADVISED: DO NOT MAKE ANY PUBLIC/MEDIA STATEMENTS ABOUT THE SITUATION ***

INCIDENT Information <input type="checkbox"/> Additional Attachments			
Property Name: Sofi Los Gatos Creek			Code: 178
Property Address: 2130 Southwest Expy San Jose, CA 95126			
Specific Location of Incident: Pool Room			
Community Director Name: Amy Nevarez			Phone: 408-295-1227
Portfolio Manager Name: Ivy Preston			Phone: 813-909-5222
Date of Incident: 1/7/2024	Time: N/A <input type="checkbox"/> AM <input type="checkbox"/> PM	Reporting Person: Sam Perez	Phone: 408-295-1227
Date Reported: 1/8/2024	Time: 10:00 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Incident Reported to: <input type="checkbox"/> Sheriff <input type="checkbox"/> Police <input type="checkbox"/> CHP <input type="checkbox"/> Fire Dept. <input type="checkbox"/> EMS <input type="checkbox"/> Coast Guard <input checked="" type="checkbox"/> None <input type="checkbox"/> Other:	Report #:
Date Reported to PM: 1/9/2024	Time: 10:00 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Reporting Person: Amy Nevarez	Phone: 408-295-1227
Type of Incident: <input type="checkbox"/> Suspected Crime Against Person <input checked="" type="checkbox"/> Suspected Crime Against Property <input type="checkbox"/> Flood <input type="checkbox"/> Tornado <input type="checkbox"/> Fire <input type="checkbox"/> Hurricane <input type="checkbox"/> Severe Weather <input type="checkbox"/> Water Damage <input type="checkbox"/> Bomb Threat <input type="checkbox"/> Explosion <input type="checkbox"/> Suspicious Package <input type="checkbox"/> Earthquake <input type="checkbox"/> Utility Outage/Failure <input type="checkbox"/> Medical <input type="checkbox"/> Resident/Guest Injury <input type="checkbox"/> Workplace Violence <input type="checkbox"/> Hazardous Material <input type="checkbox"/> Auto ^{*see below} <input type="checkbox"/> Other:			
*Auto Insurance: Request proof if property damage/injury involves a vehicle. <input type="checkbox"/> Proof of auto insurance provided <input type="checkbox"/> Refused to provide <input type="checkbox"/> Other:			
Environmental Impact: Refer to specific FPI Environmental Compliance Programs for asbestos, lead, mold, or other environmental concerns.			
Notifications: <input type="checkbox"/> Corporate <input type="checkbox"/> Entire Community <input type="checkbox"/> Occupants in select units <input type="checkbox"/> Other:			
Protective Actions: <input type="checkbox"/> Full Property Evacuation <input type="checkbox"/> Partial Evacuation (specific floors/buildings) <input type="checkbox"/> Shelter in Place <input type="checkbox"/> Lockdown <input checked="" type="checkbox"/> None <input type="checkbox"/> Other:			
Weather Conditions: <input type="checkbox"/> Raining <input type="checkbox"/> Wet <input type="checkbox"/> Active snow or sleet <input type="checkbox"/> Snow on ground <input type="checkbox"/> Ice <input type="checkbox"/> Fog <input type="checkbox"/> Overcast <input type="checkbox"/> Dry <input type="checkbox"/> High temperature <input checked="" type="checkbox"/> Sunny <input type="checkbox"/> Other:			
Lighting: <input type="checkbox"/> Dim daylight <input checked="" type="checkbox"/> Bright daylight <input type="checkbox"/> Nighttime, artificial lighting functional <input type="checkbox"/> Nighttime, no artificial lighting			
Photos taken of scene? <input checked="" type="checkbox"/> Yes (attached)		Other documentation:	
<input type="checkbox"/> No Why? Explain:			
Incident Description <input type="checkbox"/> Additional Attachments			
Description: (include exact location, building, floor, area, nature of incident, etc., but EXCLUDE MENTION OF CAUSE) Maintenance supervisor came into work and found none of the lights or computers working. Went into the pool room where the breakers are and found them off along with a beanie, headphones, paint, and graffiti.			

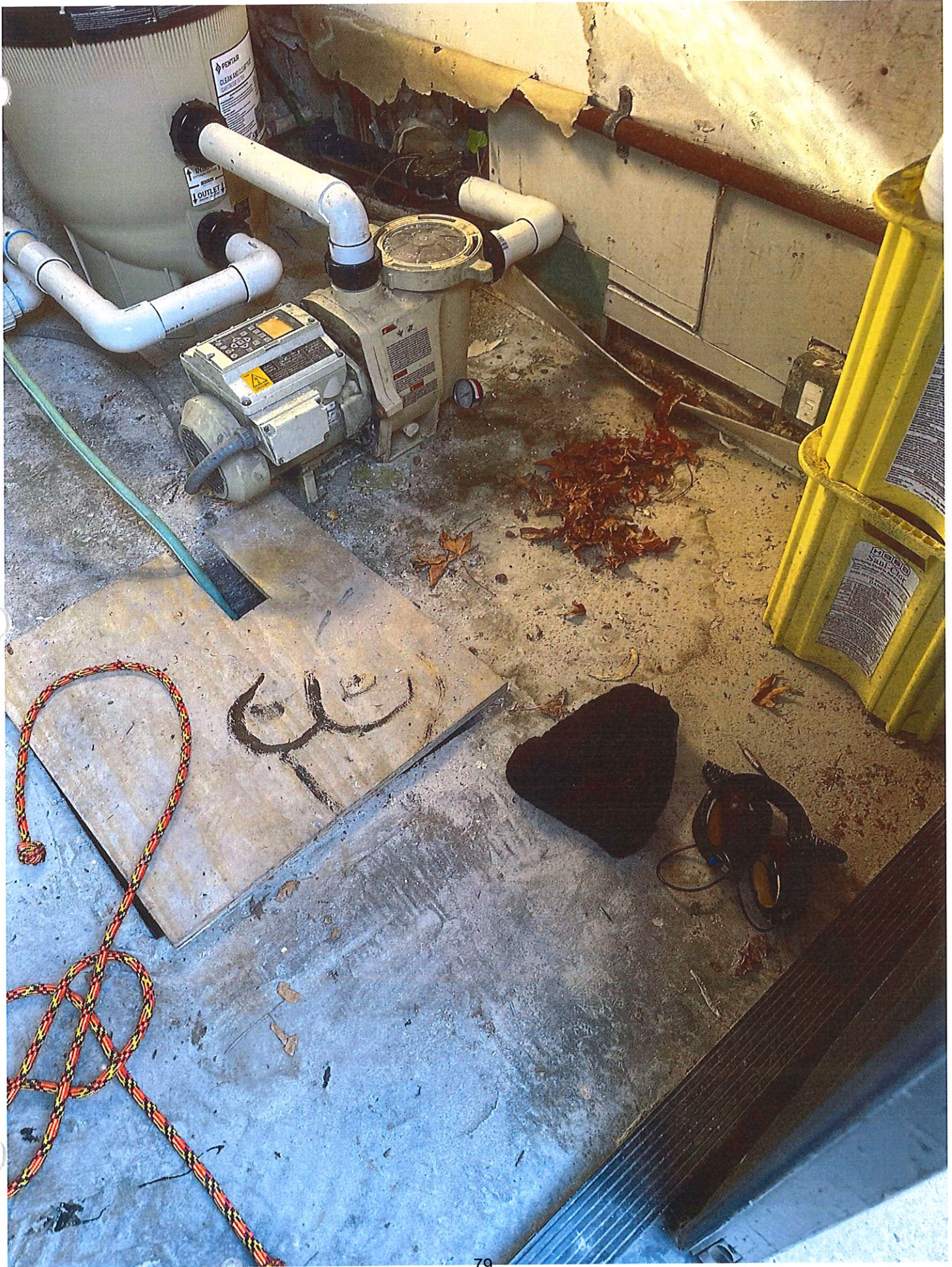
Witnesses (please attach extra paper as necessary for additional witnesses) <input type="checkbox"/> Additional Attachments	
Witness 1:	Full Name: <input type="checkbox"/> Adult <input type="checkbox"/> Minor <input type="checkbox"/> Undetermined
	Email address: Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work
	Address:
	Description of involvement: Statement Received? <input type="checkbox"/> Yes <input type="checkbox"/> No
Witness 2:	Full Name: <input type="checkbox"/> Adult <input type="checkbox"/> Minor <input type="checkbox"/> Undetermined
	Email address: Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work
	Address:
	Description of involvement: Statement Received? <input type="checkbox"/> Yes <input type="checkbox"/> No

INJURY Information (please attach extra paper as necessary for additional injured parties) <input type="checkbox"/> Add'l Attachments	
Full Name of Injured Party:	
Complete Address:	
Email address:	
Date of Birth:	Occupation: Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work
<input type="checkbox"/> Resident <input type="checkbox"/> Resident's Guest <input type="checkbox"/> Vendor	If Resident's Guest, Name & Unit Number of Resident:
<input type="checkbox"/> Other:	
Is Medical Attention Required (or does the injured party intend to seek treatment)? <input type="checkbox"/> Yes <input type="checkbox"/> No	Treating Facility: Phone: Fax:
Body Part(s) Injured: <input type="checkbox"/> Head <input type="checkbox"/> Ear(OL/DR) <input type="checkbox"/> Eye(OL/DR) <input type="checkbox"/> Cheek(OL/DR) <input type="checkbox"/> Lip(s) <input type="checkbox"/> Teeth <input type="checkbox"/> Jaw <input type="checkbox"/> Nose <input type="checkbox"/> Neck <input type="checkbox"/> Upper Back <input type="checkbox"/> Mid Back <input type="checkbox"/> Lower Back <input type="checkbox"/> Chest <input type="checkbox"/> Abdomen <input type="checkbox"/> Shoulder(OL/DR) <input type="checkbox"/> Upper Arm(OL/DR) <input type="checkbox"/> Elbow(OL/DR) <input type="checkbox"/> Lower Arm(OL/DR) <input type="checkbox"/> Wrist(OL/DR) <input type="checkbox"/> Hand(OL/DR) <input type="checkbox"/> Thumb(OL/DR) <input type="checkbox"/> Fingers <input type="checkbox"/> Buttocks <input type="checkbox"/> Hip(OL/DR) <input type="checkbox"/> Upper Leg(OL/DR) <input type="checkbox"/> Knee(OL/DR) <input type="checkbox"/> Lower Leg(OL/DR) <input type="checkbox"/> Ankle(OL/DR) <input type="checkbox"/> Foot(OL/DR) <input type="checkbox"/> Toes <input type="checkbox"/> Other: (include detail below)	
Bleeding Observed: <input type="checkbox"/> Yes <input type="checkbox"/> No	Type of Injury: <input type="checkbox"/> Sprain/Strain <input type="checkbox"/> Laceration <input type="checkbox"/> Contusion <input type="checkbox"/> Fracture <input type="checkbox"/> Other
Describe Injury in Detail (please attach extra paper as necessary should more space be needed for a thorough description):	
Injury <input type="checkbox"/> WAS / <input type="checkbox"/> WAS NOT witnessed by person completing the report	

Action Plan (identify what actions you believe are required to stabilize/manage the incident) <input type="checkbox"/> Add'l Attachments
Actions: We have put a better lock on the pool room door and disposed of all found items.

Full Name of Person Completing Report: Amy Nevarez	
Work Location: 2130 Southwest Expy San Jose, CA 951216	Code: 178
Position: Community Director	Phone: 408-295-1227 <input type="checkbox"/> Home <input type="checkbox"/> Cell <input checked="" type="checkbox"/> Work
Upon completion, submit to PM for review. File within the Resident File and Incident Report Binder.	





Incident/Injury Report

Instructions: This form shall NOT be used to document employee injuries (refer to FPI's state-specific Work Injury Handling packets). All serious incidents or injuries involving Residents, Residents' Guests, Visitors, or otherwise must be reported to 911 or the most appropriate agency immediately. Information regarding the incident must then be reported to the Portfolio Manager immediately or as soon as practicable. Complete all relevant sections of this document and submit to your PM immediately following the incident or notification of the incident. Refer to SOP 6050: Incident Reporting and Insurance Claims for further specific guidance.

*** BE ADVISED: DO NOT MAKE ANY PUBLIC/MEDIA STATEMENTS ABOUT THE SITUATION ***

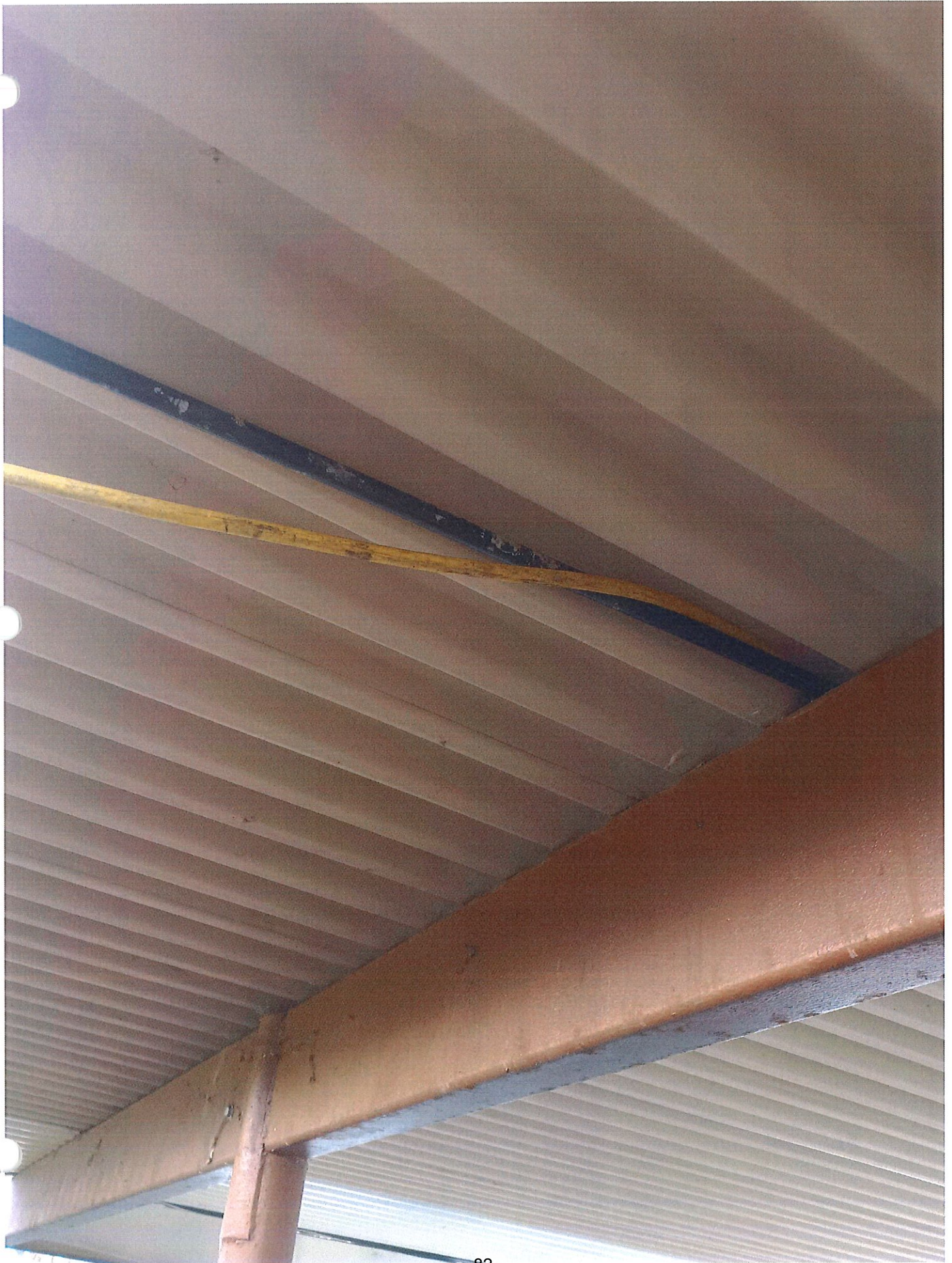
INCIDENT Information <input type="checkbox"/> Additional Attachments			
Property Name: Sofi Los Gatos Creek			Code: 178
Property Address: 2130 Southwest Expy San Jose, CA 95126			
Specific Location of Incident: Pool Room			
Community Director Name: Amy Nevarez			Phone: 408-295-1227
Portfolio Manager Name: Ivy Preston			Phone: 813-909-5222
Date of Incident: 1/8/2024	Time: N/A <input type="checkbox"/> AM <input type="checkbox"/> PM	Reporting Person: Sam Perez	Phone: 408-295-1227
Date Reported: 1/9/2024	Time: 10:00 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Incident Reported to: <input type="checkbox"/> Sheriff <input type="checkbox"/> Police <input type="checkbox"/> CHP <input type="checkbox"/> Fire Dept. <input type="checkbox"/> EMS <input type="checkbox"/> Coast Guard <input checked="" type="checkbox"/> None <input type="checkbox"/> Other:	Report #:
Date Reported to PM: 1/9/2024	Time: 10:00 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Reporting Person: Amy Nevarez	Phone: 408-295-1227
Type of Incident: <input type="checkbox"/> Suspected Crime Against Person <input checked="" type="checkbox"/> Suspected Crime Against Property <input type="checkbox"/> Flood <input type="checkbox"/> Tornado <input type="checkbox"/> Fire <input type="checkbox"/> Hurricane <input type="checkbox"/> Severe Weather <input type="checkbox"/> Water Damage <input type="checkbox"/> Bomb Threat <input type="checkbox"/> Explosion <input type="checkbox"/> Suspicious Package <input type="checkbox"/> Earthquake <input type="checkbox"/> Utility Outage/Failure <input type="checkbox"/> Medical <input type="checkbox"/> Resident/Guest Injury <input type="checkbox"/> Workplace Violence <input type="checkbox"/> Hazardous Material <input type="checkbox"/> Auto* <small>see below</small> <input type="checkbox"/> Other:			
*Auto Insurance: Request proof if property damage/injury involves a vehicle. <input type="checkbox"/> Proof of auto insurance provided <input type="checkbox"/> Refused to provide <input type="checkbox"/> Other:			
Environmental Impact: Refer to specific FPI Environmental Compliance Programs for asbestos, lead, mold, or other environmental concerns.			
Notifications: <input type="checkbox"/> Corporate <input type="checkbox"/> Entire Community <input type="checkbox"/> Occupants in select units <input type="checkbox"/> Other:			
Protective Actions: <input type="checkbox"/> Full Property Evacuation <input type="checkbox"/> Partial Evacuation (specific floors/buildings) <input type="checkbox"/> Shelter in Place <input type="checkbox"/> Lockdown <input checked="" type="checkbox"/> None <input type="checkbox"/> Other:			
Weather Conditions: <input checked="" type="checkbox"/> Raining <input type="checkbox"/> Wet <input type="checkbox"/> Active snow or sleet <input type="checkbox"/> Snow on ground <input type="checkbox"/> Ice <input type="checkbox"/> Fog <input type="checkbox"/> Overcast <input type="checkbox"/> Dry <input type="checkbox"/> High temperature <input checked="" type="checkbox"/> Sunny <input type="checkbox"/> Other:			
Lighting: <input type="checkbox"/> Dim daylight <input checked="" type="checkbox"/> Bright daylight <input type="checkbox"/> Nighttime, artificial lighting functional <input type="checkbox"/> Nighttime, no artificial lighting			
Photos taken of scene? <input checked="" type="checkbox"/> Yes (attached)		Other documentation:	
<input type="checkbox"/> No Why? Explain:			
Incident Description <input type="checkbox"/> Additional Attachments			
Description: (include exact location, building, floor, area, nature of incident, etc., but EXCLUDE MENTION OF CAUSE) Maintenance supervisor was doing a morning property walk and found an extension cord connected to the carport light power going over to homeless encampment on the other side of the property line.			

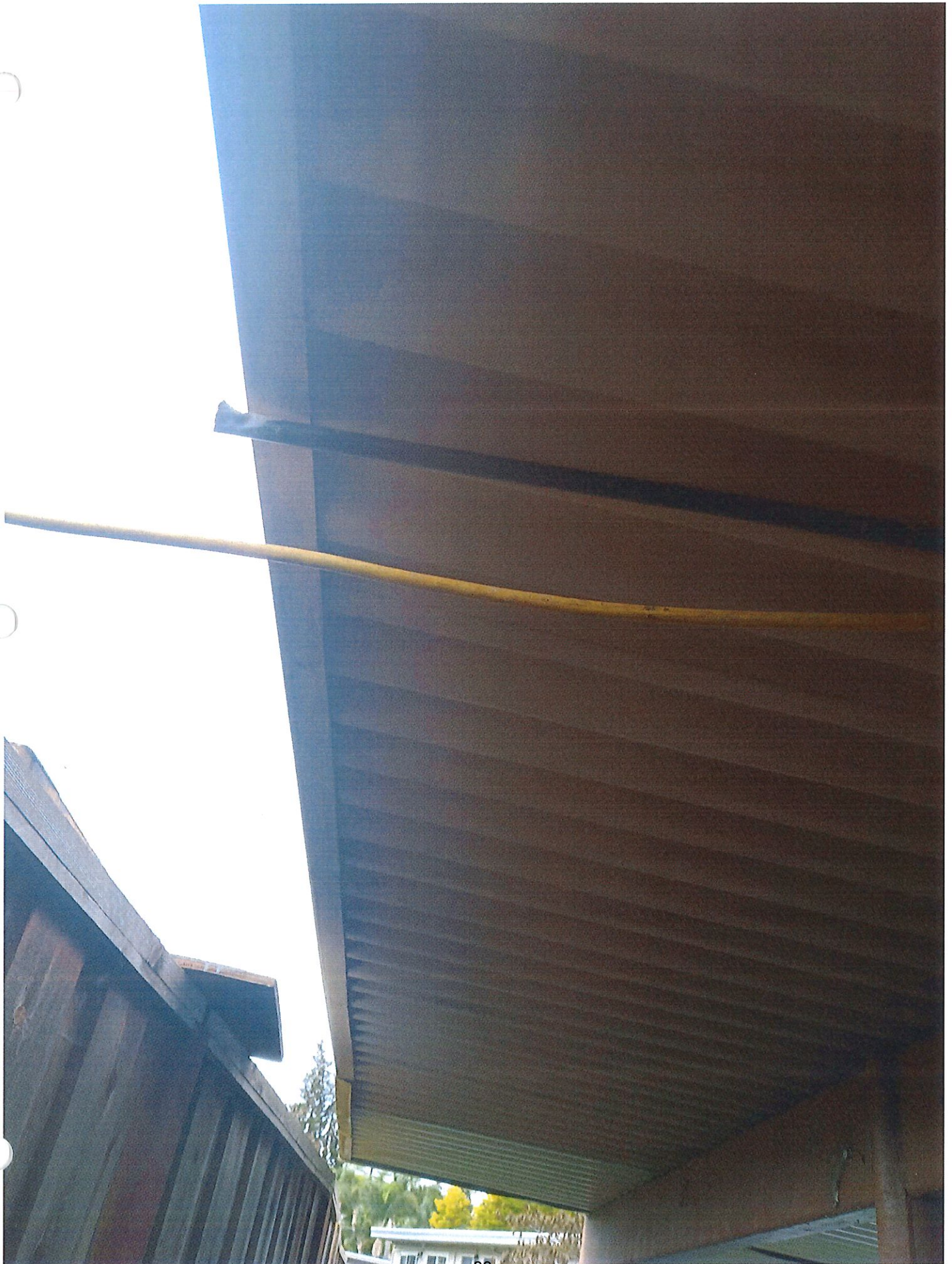
Witnesses (please attach extra paper as necessary for additional witnesses) <input type="checkbox"/> Additional Attachments	
Witness 1:	Full Name: <input type="checkbox"/> Adult <input type="checkbox"/> Minor <input type="checkbox"/> Undetermined
	Email address: Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work
	Address:
	Description of involvement: Statement Received? <input type="checkbox"/> Yes <input type="checkbox"/> No
Witness 2:	Full Name: <input type="checkbox"/> Adult <input type="checkbox"/> Minor <input type="checkbox"/> Undetermined
	Email address: Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work
	Address:
	Description of involvement: Statement Received? <input type="checkbox"/> Yes <input type="checkbox"/> No

INJURY Information (please attach extra paper as necessary for additional injured parties) <input type="checkbox"/> Add'l Attachments	
Full Name of Injured Party:	
Complete Address:	
Email address:	
Date of Birth:	Occupation: Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work
<input type="checkbox"/> Resident <input type="checkbox"/> Resident's Guest <input type="checkbox"/> Vendor <input type="checkbox"/> Other:	If Resident's Guest, Name & Unit Number of Resident:
Is Medical Attention Required (or does the injured party intend to seek treatment)? <input type="checkbox"/> Yes <input type="checkbox"/> No	Treating Facility: Phone: Fax:
Body Part(s) Injured: <input type="checkbox"/> Head <input type="checkbox"/> Ear(O/L/R) <input type="checkbox"/> Eye(O/L/R) <input type="checkbox"/> Cheek(O/L/R) <input type="checkbox"/> Lip(s) <input type="checkbox"/> Teeth <input type="checkbox"/> Jaw <input type="checkbox"/> Nose <input type="checkbox"/> Neck <input type="checkbox"/> Upper Back <input type="checkbox"/> Mid Back <input type="checkbox"/> Lower Back <input type="checkbox"/> Chest <input type="checkbox"/> Abdomen <input type="checkbox"/> Shoulder(O/L/R) <input type="checkbox"/> Upper Arm(O/L/R) <input type="checkbox"/> Elbow(O/L/R) <input type="checkbox"/> Lower Arm(O/L/R) <input type="checkbox"/> Wrist(O/L/R) <input type="checkbox"/> Hand(O/L/R) <input type="checkbox"/> Thumb(O/L/R) <input type="checkbox"/> Fingers <input type="checkbox"/> Buttocks <input type="checkbox"/> Hip(O/L/R) <input type="checkbox"/> Upper Leg(O/L/R) <input type="checkbox"/> Knee(O/L/R) <input type="checkbox"/> Lower Leg(O/L/R) <input type="checkbox"/> Ankle(O/L/R) <input type="checkbox"/> Foot(O/L/R) <input type="checkbox"/> Toes <input type="checkbox"/> Other: (include detail below)	
Bleeding Observed: <input type="checkbox"/> Yes <input type="checkbox"/> No	Type of Injury: <input type="checkbox"/> Sprain/Strain <input type="checkbox"/> Laceration <input type="checkbox"/> Contusion <input type="checkbox"/> Fracture <input type="checkbox"/> Other
Describe Injury in Detail (please attach extra paper as necessary should more space be needed for a thorough description):	
Injury <input type="checkbox"/> WAS / <input type="checkbox"/> WAS NOT witnessed by person completing the report	

Action Plan (identify what actions you believe are required to stabilize/manage the incident) <input type="checkbox"/> Add'l Attachments	
Actions: Cut the extension cord and will be putting large screws on the power box.	

Full Name of Person Completing Report: Amy Nevarez	
Work Location: 2130 Southwest Expy San Jose, CA 951216	Code: 178
Position: Community Director	Phone: 408-295-1227 <input type="checkbox"/> Home <input type="checkbox"/> Cell <input checked="" type="checkbox"/> Work
Upon completion, submit to PM for review. File within the Resident File and Incident Report Binder.	







Incident/Injury Report

Instructions: This form shall NOT be used to document employee injuries (refer to FPI's state-specific Work Injury Handling packets). All serious incidents or injuries involving Residents, Residents' Guests, Visitors, or otherwise must be reported to 911 or the most appropriate agency immediately. Information regarding the incident must then be reported to the Portfolio Manager immediately or as soon as practicable. Complete all relevant sections of this document and submit to your PM immediately following the incident or notification of the incident. Refer to SOP 6050: Incident Reporting and Insurance Claims for further specific guidance.

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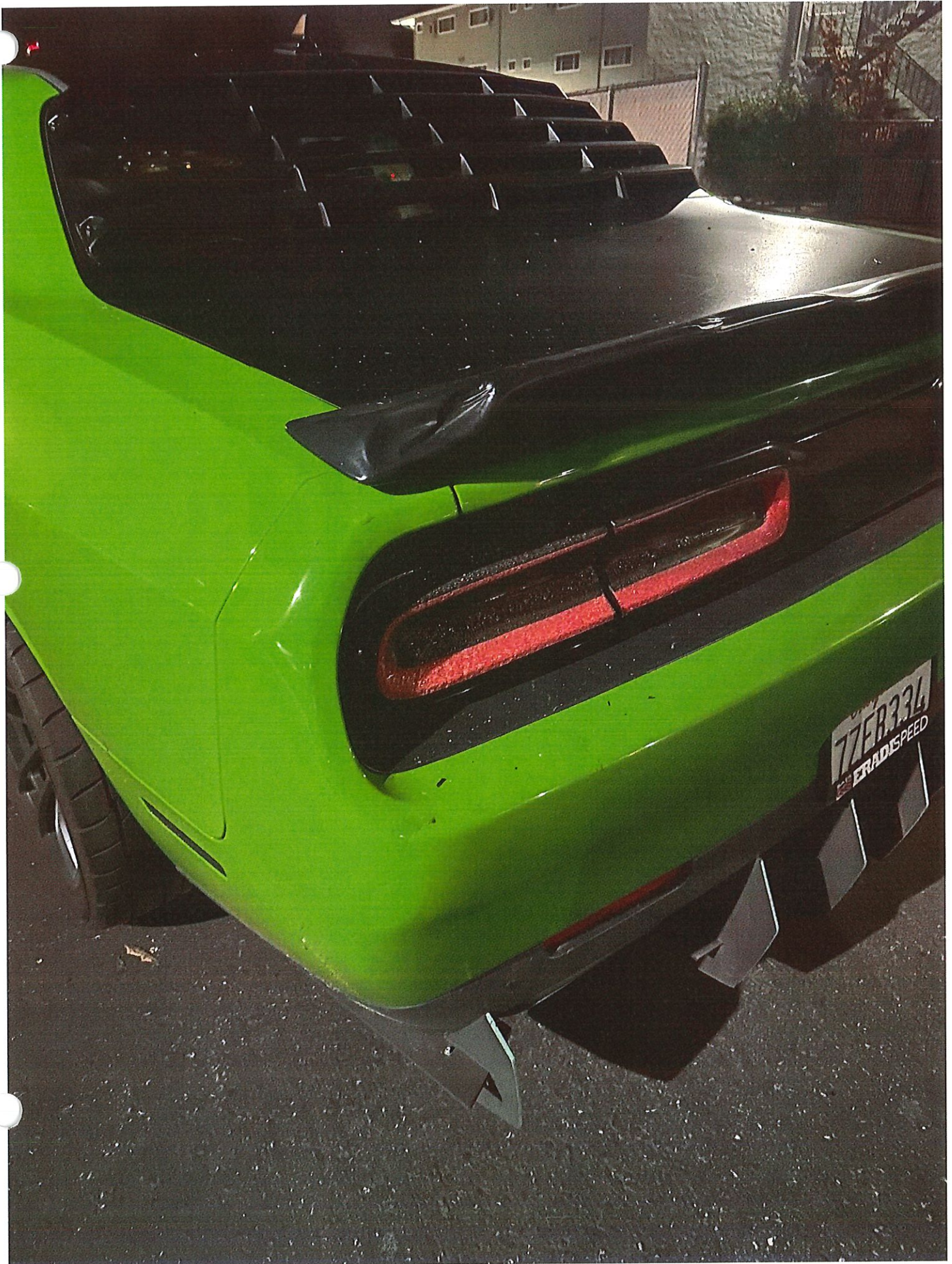
INCIDENT Information <input type="checkbox"/> Additional Attachments			
Property Name: SOFI LOS GATOS CREEK			Code: i78
Property Address: 2130 SOUTHWEST EXPY SAN JOSE CA 95126			
Specific Location of Incident: BACK OF 2032			
Community Director Name: AMY NEVAREZ			Phone: 408-295-1227
Portfolio Manager Name: IVY PRESTON			Phone: 813-909-5222
Date of Incident: 1/13/2024	Time: 1:30 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Reporting Person: LETIA TYBOR	Phone:
Date Reported: 1/13/2024	Time: 1:30 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Incident Reported to: <input type="checkbox"/> Sheriff <input type="checkbox"/> Police <input type="checkbox"/> CHP <input checked="" type="checkbox"/> Fire Dept. <input type="checkbox"/> EMS <input type="checkbox"/> Coast Guard <input type="checkbox"/> None <input type="checkbox"/> Other:	Report #: 24-013-0040
Date Reported to PM: 1/16/2024	Time: 11:00 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Reporting Person: AMY NEVAREZ	Phone: 408-295-1227
Type of Incident: <input type="checkbox"/> Suspected Crime Against Person <input type="checkbox"/> Suspected Crime Against Property <input type="checkbox"/> Flood <input type="checkbox"/> Tornado <input type="checkbox"/> Fire <input type="checkbox"/> Hurricane <input type="checkbox"/> Severe Weather <input type="checkbox"/> Water Damage <input type="checkbox"/> Bomb Threat <input type="checkbox"/> Explosion <input type="checkbox"/> Suspicious Package <input type="checkbox"/> Earthquake <input type="checkbox"/> Utility Outage/Failure <input type="checkbox"/> Medical <input type="checkbox"/> Resident/Guest Injury <input type="checkbox"/> Workplace Violence <input type="checkbox"/> Hazardous Material <input type="checkbox"/> Auto* ^{see below} <input type="checkbox"/> Other:			
*Auto Insurance: Request proof if property damage/injury involves a vehicle. <input type="checkbox"/> Proof of auto insurance provided <input type="checkbox"/> Refused to provide <input type="checkbox"/> Other:			
Environmental Impact: Refer to specific FPI Environmental Compliance Programs for asbestos, lead, mold, or other environmental concerns.			
Notifications: <input type="checkbox"/> Corporate <input type="checkbox"/> Entire Community <input type="checkbox"/> Occupants in select units <input type="checkbox"/> Other:			
Protective Actions: <input type="checkbox"/> Full Property Evacuation <input type="checkbox"/> Partial Evacuation (specific floors/buildings) <input type="checkbox"/> Shelter in Place <input type="checkbox"/> Lockdown <input type="checkbox"/> None <input type="checkbox"/> Other:			
Weather Conditions: <input type="checkbox"/> Raining <input type="checkbox"/> Wet <input type="checkbox"/> Active snow or sleet <input type="checkbox"/> Snow on ground <input type="checkbox"/> Ice <input type="checkbox"/> Fog <input checked="" type="checkbox"/> Overcast <input type="checkbox"/> Dry <input type="checkbox"/> High temperature <input type="checkbox"/> Sunny <input type="checkbox"/> Other:			
Lighting: <input type="checkbox"/> Dim daylight <input type="checkbox"/> Bright daylight <input checked="" type="checkbox"/> Nighttime, artificial lighting functional <input type="checkbox"/> Nighttime, no artificial lighting			
Photos taken of scene? <input checked="" type="checkbox"/> Yes (attached)		Other documentation:	
<input type="checkbox"/> No Why? Explain:			
Incident Description <input type="checkbox"/> Additional Attachments			
Description: (include exact location, building, floor, area, nature of incident, etc., but EXCLUDE MENTION OF CAUSE)			
<p>THERE WAS A FIRE IN THE BACK OF 2032 THAT BURNED DOWN THE FENCE, PART OF THE DUMPSTER, AND 2032-73 CAR.</p>			

Witnesses (please attach extra paper as necessary for additional witnesses) <input type="checkbox"/> Additional Attachments	
Witness 1:	Full Name: LETIA TYBOR <input checked="" type="checkbox"/> Adult <input type="checkbox"/> Minor <input type="checkbox"/> Undetermined
	Email address: NIKE187@AOL.COM Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work
	Address: 2032 SOUTHWEST EXPY #67 SAN JOSE CA 95126
	Description of involvement: SAW AND REPORTED FIRE Statement Received? <input type="checkbox"/> Yes <input type="checkbox"/> No
Witness 2:	Full Name: BRAULIO MUNOZ <input type="checkbox"/> Adult <input type="checkbox"/> Minor <input type="checkbox"/> Undetermined
	Email address: MBRAULIO663@GMAIL.COM Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work
	Address: 2032 SOUTHWEST EXPY #73 SAN JOSE CA 95126
	Description of involvement: SAW AND REPORTED FIRE Statement Received? <input type="checkbox"/> Yes <input type="checkbox"/> No

INJURY Information (please attach extra paper as necessary for additional injured parties) <input type="checkbox"/> Add'l Attachments	
Full Name of Injured Party:	
Complete Address:	
Email address:	
Date of Birth:	Occupation: Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work
<input type="checkbox"/> Resident <input type="checkbox"/> Resident's Guest <input type="checkbox"/> Vendor <input type="checkbox"/> Other:	If Resident's Guest, Name & Unit Number of Resident:
Is Medical Attention Required (or does the injured party intend to seek treatment)? <input type="checkbox"/> Yes <input type="checkbox"/> No	Treating Facility: Phone: <input type="checkbox"/> Fax: <input type="checkbox"/>
Body Part(s) Injured: <input type="checkbox"/> Head <input type="checkbox"/> Ear(D/L/R) <input type="checkbox"/> Eye(D/L/R) <input type="checkbox"/> Cheek(D/L/R) <input type="checkbox"/> Lip(s) <input type="checkbox"/> Teeth <input type="checkbox"/> Jaw <input type="checkbox"/> Nose <input type="checkbox"/> Neck <input type="checkbox"/> Upper Back <input type="checkbox"/> Mid Back <input type="checkbox"/> Lower Back <input type="checkbox"/> Chest <input type="checkbox"/> Abdomen <input type="checkbox"/> Shoulder(D/L/R) <input type="checkbox"/> Upper Arm(D/L/R) <input type="checkbox"/> Elbow(D/L/R) <input type="checkbox"/> Lower Arm(D/L/R) <input type="checkbox"/> Wrist(D/L/R) <input type="checkbox"/> Hand(D/L/R) <input type="checkbox"/> Thumb(D/L/R) <input type="checkbox"/> Fingers <input type="checkbox"/> Buttocks <input type="checkbox"/> Hip(D/L/R) <input type="checkbox"/> Upper Leg(D/L/R) <input type="checkbox"/> Knee(D/L/R) <input type="checkbox"/> Lower Leg(D/L/R) <input type="checkbox"/> Ankle(D/L/R) <input type="checkbox"/> Foot(D/L/R) <input type="checkbox"/> Toes <input type="checkbox"/> Other: (include detail below)	
Bleeding Observed: <input type="checkbox"/> Yes <input type="checkbox"/> No	Type of Injury: <input type="checkbox"/> Sprain/Strain <input type="checkbox"/> Laceration <input type="checkbox"/> Contusion <input type="checkbox"/> Fracture <input type="checkbox"/> Other
Describe Injury in Detail (please attach extra paper as necessary should more space be needed for a thorough description):	
Injury <input type="checkbox"/> WAS / <input type="checkbox"/> WAS NOT witnessed by person completing the report	

Action Plan (identify what actions you believe are required to stabilize/manage the incident) <input type="checkbox"/> Add'l Attachments	
Actions: WE WILL BE HAVING VENDORS COME OUT TO GIVE US BIDS FOR THE REPAIR AND A NEW DUMPSTER IS BEING REPLACED ON 1/17/2024	

Full Name of Person Completing Report: AMY NEVAREZ	
Work Location: SOFI LOS GATOS CREEK	Code: 178
Position: COMMUNITY DIRECTOR	Phone: 408-295-1227 <input type="checkbox"/> Home <input type="checkbox"/> Cell <input checked="" type="checkbox"/> Work
Upon completion, submit to PM for review. File within the Resident File and Incident Report Binder.	











Incident/Injury Report

Instructions: This form shall NOT be used to document employee injuries (refer to FPI's state-specific Work Injury Handling packets). All serious incidents or injuries involving Residents, Residents' Guests, Visitors, or otherwise must be reported to 911 or the most appropriate agency immediately. Information regarding the incident must then be reported to the Portfolio Manager immediately or as soon as practicable. Complete all relevant sections of this document and submit to your PM immediately following the incident or notification of the incident. Refer to SOP 6050: Incident Reporting and Insurance Claims for further specific guidance.

***** BE ADVISED: DO NOT MAKE ANY PUBLIC/MEDIA STATEMENTS ABOUT THE SITUATION *****

INCIDENT Information <input type="checkbox"/> Additional Attachments			
Property Name: Sofi at Los Gatos Creek			Code: 178
Property Address: 2130 Southwest Expy San Jose, CA 95126			
Specific Location of Incident: 2130 Southwest Expy (Carports)			
Community Director Name: Amy Nevarez			Phone: 408-295-1227
Portfolio Manager Name: Shannon Pichler			Phone: 408-504-0515
Date of Incident: 3/11/2024	Time: <input type="checkbox"/> AM <input type="checkbox"/> PM	Reporting Person: Sam Perez	Phone: 408-295-1227
Date Reported:	Time: <input type="checkbox"/> AM <input type="checkbox"/> PM	Incident Reported to: <input type="checkbox"/> Sheriff <input type="checkbox"/> Police <input type="checkbox"/> CHP <input type="checkbox"/> Fire Dept. <input type="checkbox"/> EMS <input type="checkbox"/> Coast Guard <input type="checkbox"/> None <input type="checkbox"/> Other:	Report #:
Date Reported to PM: 3/12/2024	Time: 10:00 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Reporting Person: Amy Nevarez	Phone: 408-295-1227
Type of Incident: <input type="checkbox"/> Suspected Crime Against Person <input checked="" type="checkbox"/> Suspected Crime Against Property <input type="checkbox"/> Flood <input type="checkbox"/> Tornado <input type="checkbox"/> Fire <input type="checkbox"/> Hurricane <input type="checkbox"/> Severe Weather <input type="checkbox"/> Water Damage <input type="checkbox"/> Bomb Threat <input type="checkbox"/> Explosion <input type="checkbox"/> Suspicious Package <input type="checkbox"/> Earthquake <input type="checkbox"/> Utility Outage/Failure <input type="checkbox"/> Medical <input type="checkbox"/> Resident/Guest Injury <input type="checkbox"/> Workplace Violence <input type="checkbox"/> Hazardous Material <input type="checkbox"/> Auto* ^{see below} <input type="checkbox"/> Other:			
*Auto Insurance: Request proof if property damage/injury involves a vehicle. <input type="checkbox"/> Proof of auto insurance provided <input type="checkbox"/> Refused to provide <input type="checkbox"/> Other:			
Environmental Impact: Refer to specific FPI Environmental Compliance Programs for asbestos, lead, mold, or other environmental concerns.			
Notifications: <input type="checkbox"/> Corporate <input type="checkbox"/> Entire Community <input type="checkbox"/> Occupants in select units <input type="checkbox"/> Other:			
Protective Actions: <input type="checkbox"/> Full Property Evacuation <input type="checkbox"/> Partial Evacuation (specific floors/buildings) <input type="checkbox"/> Shelter in Place <input type="checkbox"/> Lockdown <input checked="" type="checkbox"/> None <input type="checkbox"/> Other:			
Weather Conditions: <input type="checkbox"/> Raining <input type="checkbox"/> Wet <input type="checkbox"/> Active snow or sleet <input type="checkbox"/> Snow on ground <input type="checkbox"/> Ice <input type="checkbox"/> Fog <input type="checkbox"/> Overcast <input type="checkbox"/> Dry <input type="checkbox"/> High temperature <input type="checkbox"/> Sunny <input type="checkbox"/> Other:			
Lighting: <input type="checkbox"/> Dim daylight <input type="checkbox"/> Bright daylight <input type="checkbox"/> Nighttime, artificial lighting functional <input checked="" type="checkbox"/> Nighttime, no artificial lighting			
Photos taken of scene? <input checked="" type="checkbox"/> Yes (attached) <input type="checkbox"/> No Why? Explain:		Other documentation:	
Incident Description <input type="checkbox"/> Additional Attachments			
Description: (include exact location, building, floor, area, nature of incident, etc., but EXCLUDE MENTION OF CAUSE)			
<p>We had 5 stolen fire extinguishers by the homeless who live along side the creek.</p>			

Witnesses (please attach extra paper as necessary for additional witnesses) <input type="checkbox"/> Additional Attachments	
Witness 1:	Full Name: <input type="checkbox"/> Adult <input type="checkbox"/> Minor <input type="checkbox"/> Undetermined
	Email address: Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work
	Address:
	Description of involvement: Statement Received? <input type="checkbox"/> Yes <input type="checkbox"/> No
Witness 2:	Full Name: <input type="checkbox"/> Adult <input type="checkbox"/> Minor <input type="checkbox"/> Undetermined
	Email address: Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work
	Address:
	Description of involvement: Statement Received? <input type="checkbox"/> Yes <input type="checkbox"/> No

INJURY Information (please attach extra paper as necessary for additional injured parties) <input type="checkbox"/> Add'l Attachments	
Full Name of Injured Party:	
Complete Address:	
Email address:	
Date of Birth:	Occupation: Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work
<input type="checkbox"/> Resident <input type="checkbox"/> Resident's Guest <input type="checkbox"/> Vendor	If Resident's Guest, Name & Unit Number of Resident:
<input type="checkbox"/> Other:	
Is Medical Attention Required (or does the injured party intend to seek treatment)? <input type="checkbox"/> Yes <input type="checkbox"/> No	Treating Facility: Phone: Fax:
Body Part(s) Injured: <input type="checkbox"/> Head <input type="checkbox"/> Ear(OVOR) <input type="checkbox"/> Eye(OVOR) <input type="checkbox"/> Cheek(OVOR) <input type="checkbox"/> Lip(s) <input type="checkbox"/> Teeth <input type="checkbox"/> Jaw <input type="checkbox"/> Nose <input type="checkbox"/> Neck <input type="checkbox"/> Upper Back <input type="checkbox"/> Mid Back <input type="checkbox"/> Lower Back <input type="checkbox"/> Chest <input type="checkbox"/> Abdomen <input type="checkbox"/> Shoulder(OVOR) <input type="checkbox"/> Upper Arm(OVOR) <input type="checkbox"/> Elbow(OVOR) <input type="checkbox"/> Lower Arm(OVOR) <input type="checkbox"/> Wrist(OVOR) <input type="checkbox"/> Hand(OVOR) <input type="checkbox"/> Thumb(OVOR) <input type="checkbox"/> Fingers <input type="checkbox"/> Buttocks <input type="checkbox"/> Hip(OVOR) <input type="checkbox"/> Upper Leg(OVOR) <input type="checkbox"/> Knee(OVOR) <input type="checkbox"/> Lower Leg(OVOR) <input type="checkbox"/> Ankle(OVOR) <input type="checkbox"/> Foot(OVOR) <input type="checkbox"/> Toes <input type="checkbox"/> Other: (include detail below)	
Bleeding Observed: <input type="checkbox"/> Yes <input type="checkbox"/> No	Type of Injury: <input type="checkbox"/> Sprain/Strain <input type="checkbox"/> Laceration <input type="checkbox"/> Contusion <input type="checkbox"/> Fracture <input type="checkbox"/> Other
Describe Injury in Detail (please attach extra paper as necessary should more space be needed for a thorough description):	
Injury <input type="checkbox"/> WAS / <input type="checkbox"/> WAS NOT witnessed by person completing the report	

Action Plan (identify what actions you believe are required to stabilize/manage the incident) <input type="checkbox"/> Add'l Attachments	
Actions:	
We will be cleaning up the area due to broken glass and ordered more to replace the stolen ones.	
Full Name of Person Completing Report: Amy Nevarez	
Work Location: Sofi at Los Gatos Creek	Code: 178
Position: Community Director	Phone: 408-295-1227 <input type="checkbox"/> Home <input type="checkbox"/> Cell <input checked="" type="checkbox"/> Work
Upon completion, submit to PM for review. File within the Resident File and Incident Report Binder.	



SAN JOSE POLICE DEPARTMENT - INCIDENT CARD (English & Spanish)
Operational Support Services Division - Records Unit, 201 W. Mission St., San Jose, CA 95110

CASE NUMBER: 24-010-0185 DATE: 1/10/23
TYPE OF INCIDENT: 602 TRESPASSING REPORT TAKEN: YES NO
OFFICER/BADGE #: TRAVELAONE #4741 PHONE #: 277-8900

INSTRUCTIONS: If you are a crime victim, you will need this information for your contact with the San Jose Police Department, your insurance report, and tax purposes. Visit our website at www.sjpd.org for more information about obtaining a copy or summary of a police report. To supply additional information concerning suspects, witnesses, or victims, contact the San Jose Police Department Non-Emergency Line (311).

To recover property collected for safekeeping, contact the Property Warehouse (277-4268) to claim your property. **NOTE:** Property not claimed within 90 days will become the property of the City of San Jose and will be recycled, auctioned, donated, or disposed of as refuse.

To recover property located within a vehicle which has been towed, the registered owner of the towed vehicle must contact the tow company. Contact the San Jose Police Department Non-Emergency Line (311) for a civil standby if issues arise during the property recovery process.

INSTRUCCIONES: Si usted fue una víctima de un crimen, necesita el número de reporte (escrito arriba) cuando se comunice con el Departamento de Policía y para sus seguros o impuestos. La página web www.sjpd.org les explicará cómo obtener información de su reporte. Para dar información adicional con respecto a su caso/reporte, llame al Departamento de Policía de San José al número 311. **ATENCIÓN:** Si la policía les retiro propiedad por seguridad, llame al almacén de la policía al número 408-277-4268 para reclamar su propiedad. Propiedad que no se reclame antes de 90 días será dispuesta. Para recoger propiedad que fue llevada en un carro que fue remolcado, el dueño registrado del carro debe que contacta la compañía de remolcar. Llame la línea de el Departamento de Policía de San Jose al número 311 para en espera civil si tiene problemas durante el proceso de recuperación de la propiedad.

200-45A Rev.12/18

CHIEF OF POLICE

SAN JOSÉ POLICE DEPARTMENT - INCIDENT CARD (English & Vietnamese)
201 W. Mission St., San José, CA 95110

CASE NUMBER: 24-002-0556 DATE: 1/2/24
TYPE OF INCIDENT: TRESPASSING REPORT TAKEN: YES NO
OFFICER/BADGE #: YUC #4442 PHONE #:

INSTRUCTIONS: If you are a crime victim, you will need this information for your contact with the San José Police Department, your insurance report, and tax purposes. Visit our website at www.sjpd.org for more information about obtaining a copy of a police report or to obtain information regarding a towed vehicle. To supply additional information concerning suspects, witnesses, or victims, contact the San José Police Department Non-Emergency Line (408-277-8900).

To recover property collected for safekeeping, contact the Property Warehouse (408-277-4268) to claim your property. **NOTE:** Property not claimed within 90 days will become the property of the City of San José and will be recycled, auctioned, donated, or disposed of as refuse.

To recover property located within a vehicle which has been towed, the registered owner of the towed vehicle must contact the tow company.

HƯỚNG DẪN: Nếu quý vị là một nạn nhân của một vụ án, quý vị sẽ cần các tin tức này để liên lạc với Sở Cảnh Sát San José, để báo cáo đến cơ quan bảo hiểm, và các vấn đề liên quan đến khai thuế. Hãy truy cập trang mạng của chúng tôi www.sjpd.org để biết cách nhận photo copy của tờ báo cáo cho cảnh sát hoặc để biết thông tin về xe cộ bị kéo đi. Để bổ sung thêm về tin tức kẻ gian, kẻ tình nghi, nhân chứng, hoặc nạn nhân, xin liên lạc đến Đường Dây Không Khẩn Cấp (Non-Emergency) của Sở Cảnh Sát San José tại (408-277-8900). Để lấy lại đồ đạc của quý vị, xin liên lạc với Property Warehouse (408-277-4268) để tiến hành thủ tục xin lấy đồ lại. **LƯU Ý:** Các đồ cá nhân không xin lấy lại sau 90 ngày sẽ được chuyển nhượng sở hữu đến Thành Phố San Jose và sẽ được đem đi tái chế, đấu giá, cho đi, hoặc vứt bỏ. Để lấy lại đồ trong xe bị kéo đi, người chủ xe phải đích thân liên lạc đến công ty kéo xe.

200-45V Rev. 8/22

CHIEF OF POLICE

SAN JOSÉ POLICE DEPARTMENT - INCIDENT CARD (English & Vietnamese)
201 W. Mission St., San José, CA 95110

CASE NUMBER: 24-013-0040 DATE: 1/13/24
TYPE OF INCIDENT: FIRE REPORT TAKEN: YES NO
OFFICER/BADGE #: MENDES #4937 PHONE #: 311

INSTRUCTIONS: If you are a crime victim, you will need this information for your contact with the San José Police Department, your insurance report, and tax purposes. Visit our website at www.sjpd.org for more information about obtaining a copy of a police report or to obtain information regarding a towed vehicle. To supply additional information concerning suspects, witnesses, or victims, contact the San José Police Department Non-Emergency Line (408-277-8900).

To recover property collected for safekeeping, contact the Property Warehouse (408-277-4268) to claim your property. **NOTE:** Property not claimed within 90 days will become the property of the City of San José and will be recycled, auctioned, donated, or disposed of as refuse.

To recover property located within a vehicle which has been towed, the registered owner of the towed vehicle must contact the tow company.

HƯỚNG DẪN: Nếu quý vị là một nạn nhân của một vụ án, quý vị sẽ cần các tin tức này để liên lạc với Sở Cảnh Sát San José, để báo cáo đến cơ quan bảo hiểm, và các vấn đề liên quan đến khai thuế. Hãy truy cập trang mạng của chúng tôi www.sjpd.org để biết cách nhận photo copy của tờ báo cáo cho cảnh sát hoặc để biết thông tin về xe cộ bị kéo đi. Để bổ sung thêm về tin tức kẻ gian, kẻ tình nghi, nhân chứng, hoặc nạn nhân, xin liên lạc đến Đường Dây Không Khẩn Cấp (Non-Emergency) của Sở Cảnh Sát San José tại (408-277-8900). Để lấy lại đồ đạc của quý vị, xin liên lạc với Property Warehouse (408-277-4268) để tiến hành thủ tục xin lấy đồ lại. **LƯU Ý:** Các đồ cá nhân không xin lấy lại sau 90 ngày sẽ được chuyển nhượng sở hữu đến Thành Phố San Jose và sẽ được đem đi tái chế, đấu giá, cho đi, hoặc vứt bỏ. Để lấy lại đồ trong xe bị kéo đi, người chủ xe phải đích thân liên lạc đến công ty kéo xe.

200-45V Rev. 8/22

CHIEF OF POLICE



408-888-8123
jane@gilroy.org

JANE HOWARD
INTERIM PRESIDENT/CEO
7471 Monterey Street
Gilroy, CA 95020

April 29, 2024

Dear John,

On behalf of the Gilroy Chamber of Commerce board of directors, thank you for speaking at our 11th annual legislative summit. Your time and participation is valued and appreciated. Receiving updates from the Water District is important —

Thank You!

Jane Howard

OTTO LEE
COUNTY OF SANTA CLARA SUPERVISOR, DISTRICT THREE

COUNTY GOVERNMENT CENTER, EAST WING
70 WEST HEDDING STREET, 10TH FLOOR
SAN JOSE, CALIFORNIA 95110
TEL: (408) 299-5030 • FAX: (408) 298-6637
otto.lee@bos.sccgov.org • www.supervisorlee.com



April 29, 2024

Chair Nai Hsueh, Board of Directors
Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118-3686

SUBJECT: THANK YOU

Dear Chair Hsueh,

I want to thank you for your support for my referral that I brought forward on April 16th relating to options for an ordinance prohibiting new installation of artificial turf on County property. We have ample evidence of the health risks and negative environmental impacts of plastic turf, so this was an important step to take to protect our community's health, our environment, and our climate.

Your letter of support made a difference, as the referral was approved with a vote of 3-2 after rigorous discussion. I could not push for such precedent-setting actions without the support of bodies like Valley Water.

This referral requested that County Administration comes back with options for an ordinance, so we still have the most important part to come. When they bring the options to the Board in June, my office may reach out for your support again. Let's continue working together to prioritize public and environmental health!

Please do not hesitate to reach out to me at supervisor.lee@bos.sccgov.org or contact my office at (408) 299-5030 regarding this issue or anything we may be able to assist you with. Thank you again for your support.

Sincerely,

Otto O. Lee



From: [D. Muirhead](#)
To: [Board of Directors](#)
Subject: Revisions to Volunteer Waiver Form for NRCD 24
Date: Friday, May 3, 2024 9:57:15 AM
Attachments: [scvwd.waiver.no_change.201306.txt](#)
[NRCD24.Waiver.20240511.pdf](#)
[NRCD24.Waiver.20240511.mh.pdf](#)

***** 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. *****

Greetings Water District Board,
Topic: Revisions to Volunteer Waiver Form for NRCD 24

You are participating in the National River Cleanup Day May 18 coordinated by Creek Connections Action Group. Using one of your hosted sites (Lower Silver Creek #50) as a reference, you are using Creek Connections standard one-sided volunteer waiver (all benefits to the Agency, all physical, mental, and financial costs on the volunteer).

A decade ago I requested, and you rejected, that you use a more volunteer-friendly release, one that does not exempt you from all liability (even gross negligence), that provides Workers' Compensation coverage, and that does not override personal choice in medical treatment. Perhaps with changes on the Board and with the District legal team, a reconsideration is possible.

I have attached the National River Cleanup Day 24 waiver:
<https://cleanacreek.org/volunteer-info-2/>,
[NRCD24.Waiver.2024051.pdf]

a more volunteer-friendly waiver recently created by the City of Morgan Hill:
https://cleanacreek.org/wp-content/uploads/2024/04/Special-Event_Short-Term_-VOLUNTEER-FORM.pdf,
[NRCD24.Waiver.20240511.mh.pdf]

and the contents of the CEO BULLETIN Week of Friday May 17 - 23, 2013 [scvwd.waiver.no_change.201306.txt] where Staff explained why your Agency deserved more protection than was due to volunteers.

Should someone with standing agree that your Agency should improve treatment of volunteers, those are the arguments to be refuted.

Thank you for your consideration. Doug Muirhead, Morgan Hill.

Board agenda 06/11/2013

agenda ITEM 6.1

CEO BULLETIN

Week of Friday May 17 - 23, 2013

Kennedy

Revisions to Volunteer Waiver Form

R-13-0021

Staff was requested to investigate and provide suggested revisions to volunteer waiver form referred to by Mr. Muirhead during the April 23, 2013, Board meeting.

During the April 23, 2013, Board meeting, Morgan Hill resident, Mr. Doug Muirhead, addressed the Board regarding volunteer waivers used by the city of Morgan Hill and the Creeks Connections Action Group (CCAG). The latter waiver is used by CCAG, a coalition of local agencies and nonprofit organizations, for California Coastal Cleanup Day and National River Cleanup Day. The district is a founder and continues to be one of the lead agencies of the CCAG.

Specifically, Mr. Muirhead requested the district review the waiver language regarding Workers' Compensation and Medical Emergency and Treatment.

The Office of the District Counsel and Risk Management Unit recommend no changes to the district's waiver language or practice, at this time, for the following reasons.

The waivers used by CCAG originated with the California Coastal Commission for use during Coastal Cleanup Day and were adapted by CCAG to be used for National River Cleanup Day.

The waivers are designed to both allow participation by volunteers while protecting the sponsoring organizations from liability from acts of untrained personnel. The CCAG waiver protects all agencies, including the district, municipalities, and individual/groups that host sites for the cleanup events.

For district-specific events and activities, the district requires volunteers sign a similar hold-harmless and indemnification agreement, which states that volunteers aware of, and assume responsibility for, the activity's risks and will not hold the district liable in the event of an incident. Additionally, the district's Adopt-A-Creek permit and Board Advisory Committee Tour waivers also contain an indemnity clause.

Since CCAG is a coalition of agencies, municipalities, and stakeholders, it does not have insurance or Workers' Compensation available to cover volunteers.

Similarly, the district does not provide Workers' Compensation insurance for volunteers and states as such in its waiver.

Lastly, the Medical Emergency and Treatment language is standard language and is essentially designed to protect the sponsoring entity and allow medical treatment in an emergency situation where an individual to be treated cannot make medical decisions, e.g., if the individual were unconscious.

The clause is designed to protect the sponsoring entity from the individual later claiming that they did not request medical treatment or were not provided an opportunity to refuse. It is the district's understanding that if an individual is conscious and refuses medical treatment, it is his/her prerogative to opt out of such treatment.

For further information, please contact Marty Grimes at (408) 630-2881.



SPECIAL EVENT/SHORT TERM VOLUNTEER FORM

FULL VOLUNTEER NAME: _____

AGE/DATE OF BIRTH: _____

CELL PHONE: _____

E-MAIL ADDRESS: _____

ANY MEDICAL CONCERNS WE SHOULD BE AWARE OF:

IF YOU ARE UNDER 18 YEARS OLD, PARENT/GUARDIAN INFORMATION IS NEEDED:

FULL PARENT/GUARDIAN NAME: _____

CELL PHONE: _____

E-MAIL ADDRESS: _____

EMERGENCY CONTACT FOR THE EVENT DAY: _____

PHONE #: _____ RELATIONSHIP: _____

RELEASE AND WAIVER

We thank you for your volunteering through the City of Morgan Hill ("City"). In order to make your volunteering experience as safe as possible and to clarify the respective obligations of the City and volunteers, the following is provided to you. This Release and Waiver imposes obligations on you and limits your legal rights, so you must understand it fully before you sign. If you should have any questions, please ask a Program representative before you sign.

Safety - During your volunteer experience, you may be using equipment or tools, or handling fixtures and furnishings. It is your responsibility to have the proper training and to know the proper procedures in your volunteer work. ASK if you are unsure of how to use any equipment or carry out any procedures. IT IS YOUR RESPONSIBILITY TO KEEP YOURSELF SAFE.

Personal Injury - If you are injured while a volunteer for the City, you will be covered by Workers Compensation Insurance through the City's carrier, as authorized by California Labor Code § 3363.5. Workers Compensation is a "no fault" compensation system. This means you will receive benefits no matter who was at fault for the accident. These benefits may include medical care, temporary disability benefits, and permanent disability benefits, if necessary. The City pays for this coverage; there is no cost to you as a volunteer. However, because you are covered by the City's Workers Compensation policy, in the event you are injured, state law does not allow you to sue the City for your injury. By signing this Release and Waiver, you expressly agree to release the City of Morgan Hill and all its employees and officers, and to waive all claims against them, for personal injury (including death) arising from or resulting from the negligence of any employee, officer, volunteer or agent of the City while you are volunteering.

Personal Property Damage - The environment and conditions in which you are volunteering may cause damage to your personal property. In the event your property is damaged, by signing this Release and Waiver you expressly agree that you will not file any claims against the City (hold the City harmless) for any personal property damage that may occur from whatever cause while you are volunteering. We encourage you to refrain from bringing personal property to your volunteer site unless necessary for your volunteer work or for your safety and comfort.

Injury to Third Persons and Their Property - In addition to your own safety and that of other volunteers, we want you to take every step possible to protect the safety of other residents and visitors to our City. You must take every reasonable precaution to prevent injury to others and to prevent damage to their property. If such injury or damage does occur due to your negligence or intentional acts, you agree to indemnify the City. This means that, if the injured party sues the City, you will reimburse the City for any money paid out for legal expenses and as damages to the injured party. You will not be responsible if the injury or damage is caused by the negligence or willful misconduct of a City employee or personnel or a third party other than yourself.

Medical Emergencies and Treatment - You agree to receive emergency first aid care or medical treatment that may be rendered to you if you are injured or in need of emergency care while you are volunteering. You also understand that the City of Morgan Hill or its employees or officers are under no obligation to render any such care or treatment. You agree to release and indemnify the City against any liability for providing, or failing to provide, any first aid care or emergency medical treatment. You further agree to pay all costs incurred because of said care or treatment. You also have the right to opt out of medical treatment if you so choose. However, if you are unable to indicate that you do not wish to receive medical treatment, medical treatment will be rendered to you.

Work Involving Supervision of Children - You understand that, to the extent that you will be performing volunteer services at a City-operated park, playground, recreational center, or any other recreation area used for recreational purposes, and may be in a position having supervisory or disciplinary authority over any minor, the City is authorized and required to obtain any relevant background information related to any possible past criminal violations in order to determine your eligibility to participate. Prior to commencing any volunteer activities that involve supervision over any minor, you will be required to complete a supplemental application pursuant to California Public Resources Code §5164.

You must read and sign this form for yourself and a separate form for a minor under eighteen of whom you are a parent or legal guardian. For any volunteer accompanying you who is under eighteen and not your child, this form MUST be filled out by that child's parent or legal guardian.

I have read the above Release and Waiver and each paragraph contained therein. I understand and agree to all the provisions in the Release and Waiver.

Date _____

Signature of Volunteer (If you are under 18, you must also have a parent or guardian sign below.)

Print Name of Volunteer

Signature of Parent or Guardian (under 18 only)

Print Name of Parent or Guardian

Volunteer Agrees intends to Work in a position which holds supervisory or disciplinary authority over Children.

Yes No

From: [Candice Kwok-Smith](#)
To: [Board of Directors](#); [Michele King](#)
Subject: FW: Updated schedule for Pacheco dam project
Date: Monday, May 6, 2024 10:51:22 AM

From: Katja Irvin [REDACTED]
Sent: Tuesday, April 30, 2024 6:30 PM
To: Ryan McCarter <RMcCarter@valleywater.org>; Nai Hsueh <NHsueh@valleywater.org>
Cc: Rick Callender <rcallender@valleywater.org>
Subject: Updated schedule for Pacheco dam project

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Dear Mr. McCarter and Chair Hsueh,

I would like to request that the upcoming Pacheco dam update about project costs also include an update to the project schedule.

The last schedule update was presented at the August 18, 2023 Water Storage Exploratory Committee meeting. This schedule showed 60% design being completed in 2024. I heard that this will now not be completed until some time in 2025. I assume this will impact other schedule milestones.

I think this is important information to be provided ASAP along with any updated information about project costs.

Thank you for your consideration,

Katja Irvin
Guadalupe Group Conservation Chair
Sierra Club Loma Prieta Chapter

From: [PATRICK ALONGI](#)
To: [Board of Directors](#); [Mayor Matt Mahan](#); district10@sanjoseca.gov; [Daniel Lee](#); [Pat Alongi](#)
Subject: Fire Hazard: Tree Trimmings and Area Along Creek
Date: Monday, May 6, 2024 1:06:59 PM

***** 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. *****

Santa Clara Valley Board,

I am writing as we have a significant amount of tree trimmings that have been left on Cross Springs Drive now for over one month. They are all dead and are a significant fire hazard to our neighborhood. I was told by your office two weeks ago that you didn't trim the trees and leave the debris, but would come and pick it up last week. Nothing has happened and it is not only an eye sore but also a tremendous fire hazard to our neighborhood. In addition, the entire area along the creek on Cross Springs Drive is completely over grown and again a huge fire hazard. Weeds are now over four feet high and there are many trees along the creek that are dead. I have to believe that this would be a tremendous liability for your organization.

Can you please have someone come out and pick up the trimmings along Cross Springs Drive and also send out a crew to trim the area along the street and creek area? Please let me know when you believe this can be accomplished.

Sincerely,
Patrick Alongi

OUTGOING BOARD CORRESPONDENCE

From: [Candice Kwok-Smith](#) on behalf of [Board Correspondence](#)
To: [Mark Bilski](#); [Kathy Nguyen](#); [Shanika Richards](#); [Jennifer Codianne](#)
Cc: [Michele King](#); [Adelina Del Real](#)
Subject: FW: Homeless Encampment Located adjacent to Sofi Los Gatos Creek Apartments 2130 Southwest Expy San Jose, CA
Date: Friday, May 3, 2024 11:21:27 AM
Attachments: [image001.png](#)

From: Candice Kwok-Smith **On Behalf Of** Board of Directors
Sent: Friday, May 3, 2024 11:20 AM
To: Debbie Tedsen <debbie.tedsen@fpimgt.com>
Cc: Ivy Preston <ivy.preston@fpimgt.com>; Shannon Pichler <shannon.pichler@fpimgt.com>; Amy Nevarez <amy.nevarez@fpimgt.com>; skelley@pacificurbaninvestors.com; Teresina Humphrey <thumphrey@pacificurbaninvestors.com>; Coffaro, Nicholas <ncoffaro@pacificurbaninvestors.com>
Subject: RE: Homeless Encampment Located adjacent to Sofi Los Gatos Creek Apartments 2130 Southwest Expy San Jose, CA

Sent on Behalf of Director Keegan:

Dear Debbie Tedsen,

Thank you for reaching out to Valley Water and sharing your concerns related to the encampments of unsheltered people located near your community on Los Gatos Creek in San José. We share your concerns regarding harmful environmental impacts, safety concerns, and declining quality of life.

Our field staff recently conducted a risk assessment of the large encampment adjacent to your apartment community and it was determined that the associated risks will necessitate abatement of that encampment. Staff will work with the City of San José to provide necessary outreach so that the encampment can be posted and abated in mid-May.

We appreciate the acknowledgement that homelessness is a complex issue. We are committed to using the power we have as an environmental stewardship agency to protect our waterways in collaboration with cities and the County as they fulfill their public safety and social service roles. Valley Water is not a law enforcement agency, nor do we provide direct homelessness/housing services.

Applicable case law has significantly affected how Valley Water can respond to encampments of unsheltered people on our property. The 9th Circuit Federal Court of Appeals ruling in *Martin v. Boise* requires that an offer of shelter be made before unsheltered people may be relocated from public lands; however, given the unprecedented need for transitional and long-term housing in Santa Clara County, there is currently only

shelter capacity for approximately one quarter of the unsheltered population. For this reason, there is often little that Valley Water can do to relocate encampments until there are sufficient housing alternatives.

We are working internally and in concert with our agency partners to find solutions to address unsheltered homelessness. On May 17, 2024, Valley Water staff intends to bring forward a proposed ordinance to our Environmental Creek Cleanup Committee (ECCC) to address our responsibility to protect water quality, fish, and wildlife as well as community concerns you mentioned in your correspondence. The ordinance will aim to reduce encampments and prevent re-encampments along creeks and waterways and is intended to protect water resources, endangered species, and other ecological resources. Because Valley Water does not possess police powers, local law enforcement agencies will have the authority and responsibility to enforce the ordinance. This must be done in compliance with all applicable laws (*Martin v. Boise*). We encourage you to participate and provide comments. Meeting details, including a zoom link, will be added to the Valley Water website as we approach the ECCC meeting date: <https://www.valleywater.org/how-we-operate/committees/board-committees>.

Thanks again for your message. We appreciate your comments and understand your concerns. Please contact Assistant Operating Officer Mark Bilski at mbilski@valleywater.org with any follow-up information. You can also report future concerns to Valley Water via our online system at <https://access.valleywater.org/s/>. Thanks again for your message.

Sincerely,



Barbara Keegan
Director, District 2

C-24-0110

From: Debbie Tedsen <debbie.tedsen@fpimgt.com>
Sent: Tuesday, April 23, 2024 6:17 PM
To: Jim Beall <JBeall@valleywater.org>; Tony Estremera <TEstremera@valleywater.org>; Board of Directors <board@valleywater.org>
Cc: Ivy Preston <ivy.preston@fpimgt.com>; Shannon Pichler <shannon.pichler@fpimgt.com>; Amy Nevarez <amy.nevarez@fpimgt.com>; skelley@pacificurbaninvestors.com; Teresina Humphrey <thumphrey@pacificurbaninvestors.com>; Coffaro, Nicholas <ncoffaro@pacificurbaninvestors.com>
Subject: Homeless Encampment Located adjacent to Sofi Los Gatos Creek Apartments 2130 Southwest Expy San Jose, CA

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Hello, SC Valley Water District Board Members,

We wanted to inform you about a pressing issue impacting our community at Sofi Los Gatos Creek Apartments, located at 2130 Southwest Expy. in San Jose. Adjacent to our property lies a homeless encampment, which falls under the jurisdiction of the Santa Clara Valley Water District. As representatives of our community's ownership, we are deeply concerned about the adverse effects this encampment is having on the environment and the safety of our residents and those experiencing homelessness.

While we acknowledge the complexity of homelessness and advocate for compassionate and comprehensive solutions, the current state of affairs at 2130 Southwest Expy. poses significant environmental and safety hazards. The encampment has led to escalated levels of littering, waste accumulation, unauthorized and unregulated electricity use, and potential contamination of nearby water sources. Moreover, there have been reports of incidents jeopardizing the safety and well-being of our residents and individuals within the encampment.

We recognize the Santa Clara Valley Water District's commitment to safeguarding our water sources and ensuring community safety. So, we're urgently reaching out for your help in dealing with this. We firmly believe that a collaborative approach involving the water district, local authorities, and pertinent social services is critical to a resolution that benefits all parties involved.

We know the complexities of tackling homelessness and deeply value any efforts to find humane and effective solutions. We trust that the Santa Clara Valley Water District will consider this matter and explore viable options for removing the encampment while extending support to those experiencing homelessness.

Thank you for your swift attention to this issue. We are excited to hear about the measures that can be taken to address the concerns outlined in this correspondence.

I have attached photos and the letter written in this email for you to share with others who can help.

Thank you for taking the time to look into this matter. We look forward to hearing from you soon.

Debbie Tedsen-Senior Director

Office: 916-850-4451 | Cell: [REDACTED]

[#FPIPledgesAcceptance](#)

[REDACTED]

From: [Candice Kwok-Smith](#) on behalf of [Board Correspondence](#)
To: [Mark Bilski](#); [Kathy Nguyen](#); [Shanika Richards](#); [Jennifer Codianne](#)
Cc: [Michele King](#); [Board of Directors](#)
Subject: FW: River encampment idea
Date: Monday, May 6, 2024 11:23:17 AM
Attachments: [image001.png](#)

Good morning,

C-24-0099 has been approved, sent and closed.

Thanks,
Candice

From: Candice Kwok-Smith **On Behalf Of** Board of Directors
Sent: Monday, May 6, 2024 11:21 AM
To: maverycks2 [REDACTED]
Subject: Re: River encampment idea

Sent on Behalf of Director Beall:

Dear Bob Leonard,

Thank you for reaching out to Valley Water and sharing your experiences regarding the encampments of unsheltered people on Valley Water property along the Guadalupe River near the Erikson neighborhood. We share your concerns regarding harmful environmental impacts, safety concerns, and declining quality of life. While applicable case law has significantly affected how Valley Water can respond to encampments of unsheltered people on our property, we are working in concert with the City of San José to find solutions to address unsheltered homelessness. Valley Water is not a law enforcement agency, nor do we provide direct homelessness/housing services, but we are committed to using the power we have as an environmental stewardship agency to protect our waterways in collaboration with cities and the County as they fulfill their public safety and social service roles.

As you are aware, Valley Water and the City of San José are actively negotiating the development of nearly 100 Emergency Interim Housing (EIH) units on Valley Water's undeveloped 2.52-acre lot along Cherry Avenue between the Guadalupe River and the Almaden Ranch shopping center. Once this EIH site has been established, and after safe relocation of unsheltered individuals living in this reach of the Guadalupe River into the EIH community has taken place, a Water Resources Protection Zone (WRPZ) will be established along Guadalupe River from Branham Lane in the north to Blossom Hill Road in the south. The WRPZ will be kept clear of camping, fires, damage to vegetation and wildlife, and pollution to the water, and joint City and Valley Water efforts will aim to protect this reach by ensuring that it remains clear of encampments in the future. The Cherry Ave. EIH site is an important part of the

City's overall interim housing strategy, especially in light of the recent mandates related to renewing the City's stormwater permit. The City has indicated that this development will be prioritized to proceed as quickly as possible. I can assure you that this is a top priority for Valley Water. However, I do understand if folks are experiencing frustration that this process is not happening fast enough.

Of additional note, Valley Water staff intends to bring forward a proposed ordinance to our Environmental Creek Cleanup Committee (ECCC) on May 17, 2024, to address our responsibility to protect water quality, fish, and wildlife as well as community concerns and concerns about the workplace safety of Valley Water's field staff. The ordinance will aim to reduce encampments and prevent re-encampments along creeks and waterways and is intended to protect water resources, endangered species, and other ecological resources. Because Valley Water does not possess police powers, local law enforcement agencies will have the authority and responsibility to enforce the ordinance. This must be done in compliance with all applicable laws, such as the 9th Circuit Federal Court of Appeals ruling in *Martin v. Boise*, which requires that an offer of shelter be made before unsheltered people may be relocated from public lands. Meeting details, including a zoom link, will be added to the Valley Water website as we approach the ECCC meeting date:
<https://www.valleywater.org/how-we-operate/committees/board-committees>.

Thanks again for your message. We appreciate your comments and understand your concerns. Please contact Assistant Operating Officer Mark Bilski at mbilski@valleywater.org with any follow-up information. You can also report future concerns to Valley Water via our online system at <https://access.valleywater.org/s/>. Thanks again for your message.

Sincerely,



Jim Beall
Director, District 4

C-24-0099

-----Original Message-----

From: Robert Leonard <maverycks2@valleywater.org>
Sent: Saturday, April 20, 2024 7:09 AM
To: Board of Directors <board@valleywater.org>
Subject: River encampment idea

*** 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. ***

Dear board,

We, as residents of the Erickson neighborhood, are desperately trying to come up with solutions to the homeless problem in the Guadalupe river between Branham and Blossom Hill. In the 21 years we've been here, we have seen it transform from a beautiful piece of nature to a destroyed war zone of graffiti, trashed up landscape. Exploding propane tanks and grass fires are as common as loud threats of violence that can be easily heard. I have called police and fire on multiple occasions. One time during a call, a fire fighter was injured responding to assist a homeless man whose tent was too close to the rising river during a major storm. Now, our homes are losing tens, if not hundreds, of thousands dollars in value because of your inability to police your own land. Lawsuits are now being considered to recoup our loss of home values, not to mention the pain and suffering that this situation extols on us residents. We don't want to go that route, who does because it's a pain in the ass to be blunt. But as they say, desperate times.... We'd rather have the land reclaimed and call it a day.

One problem the water district had was there was no plan to abate the homeless from getting on the site and setting up camp in the first place. Regular patrols years ago could have prevented the homeless creating the encampment footprint in the first place.

That all being said, we are trying to work with you on solutions. Brainstorming what can and can't work until that day comes the land has been reclaimed.