



SANTA CLARA VALLEY WATER DISTRICT

# NON-AGENDA

July 19, 2024

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

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	<b><u>BOARD MEMBER REQUESTS &amp; INFORMATIONAL ITEMS</u></b>
7	<b>BMR/IBMR Weekly Reports: 07/17/24</b>
8	Memo from Lisa Bankosh, Assistant Deputy-Watershed and Stewardship Planning to Director Estremera, dated 07/09/24, providing a list of surplus properties for unhouse support. Response to IBMR I-24-0009
27	Memo from Lilian Dennis, Management Analyst-Risk Management Unit, to the board, dated 07/15/24, providing Risk Management Unit Communication
	<b><u>INCOMING BOARD CORRESPONDENCE</u></b>
67	<b>Board Correspondence Weekly Report: 07/17/24</b>
69	Email from Melissa Mallory and Timothy Quinn to Director Keegan and the board, dated 07/10/24 expressing gratitude for responding to a prior email and sharing their thoughts on unhoused encampments C-24-0166
75	Email from Luis Ramirez to the board, dated 07/11/24, expressing their thoughts on the boards decision to delay vote on law to remove unhoused people from the creeks. C-24-0167
76	Email from Jim Kuhl to the board, dated 07/11/24, with questions, issues and concerns related to Valley Water's Water Affordability Study. C-24-0168
82	Email from Don Orozco to Director Eisenberg and the board, dated 07/11/24, requesting a tour of Valley Water for a group of City officials and business owners from Manila, Philippines in October 2024. C-24-0169
83	Email from Jean-Marie White to Director Keegan, dated 07/10/24 sharing their opinion on the 07/10/24 Board meeting. C-24-0170
85	Email from Nestor de la O Vargas to the board, dated 07/11/24, providing information about upcoming Keep Coyote Creek Beautiful cleanup events. C-24-0172
94	Email from Rahmat and Soheila Mozayan to the board, dated 07/10/24, Expressing their concern regarding the proposal to divert \$45 Million in funding allocated for the Upper Guadalupe flood improvements. C-24-0173
95	Email from Sharon Yang to the board, dated 07/10/24, Expressing their concern regarding the proposal to divert \$45 Million in funding allocated for the Upper Guadalupe flood improvements. C-24-0174
96	Email from Cathleen Langan to the board, dated 07/13/24, providing public comment on item 3.4 for the 07/09/24 board meeting. C-24-0175

102		Emails from Sam, Hamilton Place Neighborhood Association and other residents to Director Keegan and Valley Water staff, dated 07/13/24 and 07/14/24, reporting an unauthorized structure located on the Los Gatos Creek Trail between Leigh and Bascom Ave. C-24-0176
113		Email from Sali Schille to Director Keegan, dated 07/9/24, inquiring about a proposed reduction in funding for the Upper Guadalupe project. C-24-0177
115		Email from Thunder Parley to the board, dated 07/15/24, reporting a fire and safety hazard near Salamoni Ct. and Lundy Ave. C-24-0178
117		Email from Anthony Vizzusi to Director Varela, dated 07/16/24, requesting a status update of the weed cleaning around the Valley Water District staging area inside Holiday Lake Estates. C-24-0179
		<b><u>OUTGOING BOARD CORRESPONDENCE</u></b>
119		Email from Director Keegan to Jeffrey Hare, dated 07/10/24, in response to an email he shared discussing a policy analysis his class conducted assessing Valley Water's compliance with State Water Board permit regulations. C-24-0171

# **CEO BULLETIN**



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

## Weeks of July 5, 2024 – July 18, 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.*

Item	IN THIS ISSUE
<u>1</u>	Public meetings on Valley Water’s comprehensive plan to update and upgrade its water treatment plants
<u>2</u>	State Approves Groundwater Management Plan for Continued Sustainable Groundwater Management Act Compliance
<u>3</u>	Water Management Agreements Executed June 2024
<u>4</u>	<u>Estremera</u> Provide Director Estremera with a list of surplus properties that can be used by others for Unhoused Support I-24-0009

### 1. Public meetings on Valley Water’s comprehensive plan to update and upgrade its water treatment plants

On June 12 and 13, 2024, Valley Water (VW) held two public meetings to present and seek feedback on VW’s comprehensive plan to update and upgrade its water treatment plants (Santa Teresa and Penitencia in San Jose, and Rinconada in Los Gatos). VW is committed to keeping safe clean water flowing as we recognize the need to repair or replace much of our aging infrastructure. One of the hybrid events was held in the Sunnyvale Community Center, 550 E Remington Drive, Sunnyvale, CA and the other in the Vietnamese American Service Center, 2410 Senter Road, San Jose, CA.

Community Outreach Supervisor, Mike Potter officiated both events. VW Board Chair, Nai Hsueh and Assistant Officer, Luz Penilla, provided opening remarks. Senior Engineer, Barton Ching and Associate Engineer, Miguel Silva, provided project details. The presentation covered the following six items: (1) Project Overview; (2) Purpose, Need, and Benefits of Master Planning; (3) Master Planning Process; (4) Project Goals, and Timeline; (5) Recommended Projects; and a (6) Question-and-Answer Session, where staff engaged with community members.

A meeting recording is available on the [Project Website](#) and Valley Water's [YouTube Channel](#).

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

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## **2. State Approves Groundwater Management Plan for Continued Sustainable Groundwater Management Act Compliance**

The Department of Water Resources (DWR) recently approved Valley Water's 2021 Groundwater Management Plan after DWR's first periodic evaluation of the groundwater sustainability plan alternative (Alternative) for the Santa Clara and Llagas subbasins. DWR's approval confirms that the Alternative satisfies the objectives of the Sustainable Groundwater Management Act (SGMA) and substantially complies with related regulations. SGMA requires periodic evaluations of alternatives at least every five years.

DWR's evaluation and approval included two minor recommendations to enhance the Alternative and facilitate future evaluations. The first recommendation is to better document inter-basin coordination with adjacent basins on items such as monitoring networks and conceptual hydrogeologic models. The second recommendation is to ensure monitoring network details are consistent with DWR's online SGMA data portal.

Valley Water will incorporate these recommendations before the second periodic evaluation, which is due to DWR by December 17, 2026.

Valley Water will notify interested stakeholders of DWR's approval and related recommendations.

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

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## **3. Water Management Agreements Executed June 2024**

Pursuant to EL-5.1.6 and EL-5.3.3, the CEO is required to inform the Board on a timely basis when imported water management agreements are executed. The imported water management agreements executed June 2024 are listed below:

- June 20, 2024 - Water Purchase and Water Transfer Agreement (#A5115W) between Kern County Water Agency(KCWA) member unit Belridge Water Storage District (Belridge), Westside Mutual Water Company (Westside) and Valley Water: provides for the transfer of a minimum of 10,000AF and up to 20,000AF of SWP water from VW to Belridge/Westside in 2024.

For further information, please contact Vincent Gin at (408) 630-2633.

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## **4. Estremera Provide Director Estremera with a list of surplus properties that can be used by others for Unhoused Support I-24-0009**

The response for I-24-0009 is included in the Board's July 19, 2024 Non-Agenda package.

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

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# **BOARD MEMBER REQUESTS and Informational Items**

Report Name: Board Member Requests

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
I-24-0009	07/09/24	Estremera	Hakes	Infante Bourgeois	Provide Director Estremera with a list of surplus properties that can be used by others for unhoused support.	07/29/24		
R-24-0011	07/09/24	Hsueh	Baker	Struve Gin	Provide Mr. Kuhl with information he requested on teh Palo Alto Purified Water Project.	07/30/24		



**MEMORANDUM**

FC 14 (02-08-19)

**TO:** Director Estremera

**FROM:** Lisa Bankosh, Assistant Deputy Watershed and Stewardship Planning

**SUBJECT:** List of Surplus Properties for Unhouse Support – Response to IBMR I-24-0009

**DATE:** 7/9/2024

Through IBMR I-24-009, Director Estremera inquired a list of available surplus Valley Water properties for possible use by others for housing, staff updated prior information that had been provided to the City of San Jose to support the City’s Emergency Interim Housing program. The updated information is organized into two categories.

The first category, “Excess properties for potential surplus”, includes properties that were identified as having no current or future use for Valley Water purposes. This identification was originally made as part of a surplus lands review in 2019 of the 3,698 parcels owned in fee title by Valley Water, and was updated in response to the current inquiry.

The second category, “Properties Suitable for Emergency Interim Housing”, included parcels are not considered excess/potentially surplus, but meet criteria established to determine suitability for short-term (up to 10 years) use for unhoused.

Staff are currently conducting additional analysis on a third category of properties to determine their suitability for use as Safe Sleeping Sites (including, but not limited to, sites which have been previously identified by City of San Jose and Valley Water staff identified below), which have similar criteria to EIH sites but are needed for capital projects in the more immediate future (within 3-5 years). This category list will also contain a status of all existing Valley Water owned housing and will be transmitted to the Board via future IMBR response once completed.

Site Name/Location	Parcel Number
South Parcel off Lelong Street	434-04-003, -004, -011, -012, -013, -066, -083, -084, -088
North Parcel off Willow Street	264-48-098
14020 and 3278 Almaden Road	459-01-021 459-02-001
2128 and 2132 Almaden Road	456-18-001 456-09-002

*Lisa Bankosh*

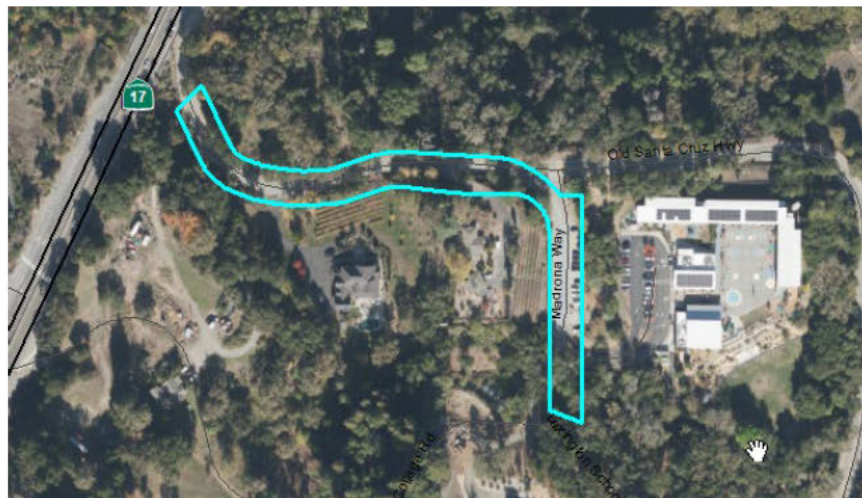
Lisa Bankosh  
Assistant Officer  
Watersheds Stewardship &  
Planning Division

## EXCESS PROPERTY FOR SURPLUS CONSIDERATION

#	APN	Property Location	Property Size	Comments
1	464-22-013	Intersection of Canoas Creek and HWY 85, San Jose	2.74 +/- acres	Property acquired for material storage to support maintenance work but is no longer utilized.



#	APN	Property Location	Property Size	Comments
2	558-41-008	Old Santa Cruz Hwy off HWY 17, Los Gatos	1.7 +/- acres	Legacy property from land originally acquired for construction of Lexington Reservoir. Parcel is a road and not needed for operations.



## EXCESS PROPERTY FOR SURPLUS CONSIDERATION

#	APN	Property Location	Property Size	Comments
3	825-18-041	Corralitos Creek at Columbet Ave, San Martin	2.98 +/- acres	Property purchased for potential creek realignment project, but project never funded.



#	APN	Property Location	Property Size	Comments
4	841-18-052	Confluence of Llagas Creek and West Llagas Creek, Unincorporated	22.3 +/- acres	Portion of property contains mitigation planting, but remainder not currently used.



## EXCESS PROPERTY FOR SURPLUS CONSIDERATION

#	APN	Property Location	Property Size	Comments
5	701-36-010	Calero Creek at Fortini Road, San Jose	1.56 +/- acres	There have been previous efforts to utilize land for mitigation planting, but parcel currently has no identified use.

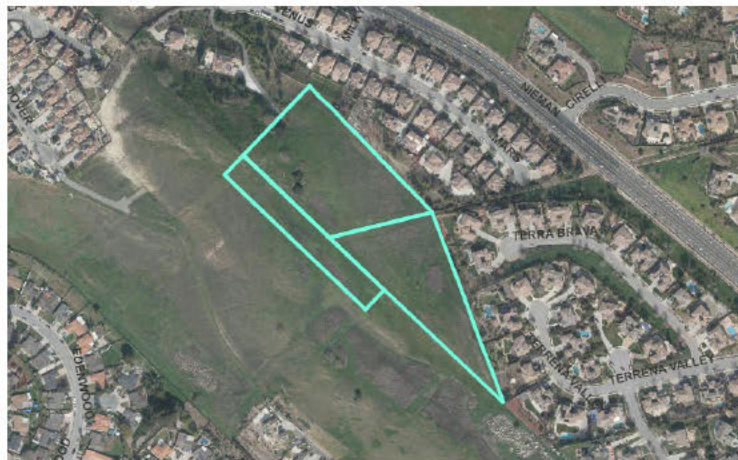


#	APN	Property Location	Property Size	Comments
6	783-18-016	Along West Llagas Creek near intersection of Fitzgerald and Santa Teresa, Unincorporated	7.62 +/- acres	Property acquired for potential flood protection project, but no project has been funded.



## EXCESS PROPERTY FOR SURPLUS CONSIDERATION

#	APN	Property Location	Property Size	Comments
7	676-04-047, 052, 016	Between Venus Dr. and Terra Brava Place, San José	7.61 +/- acres	Land originally purchased for East Reservoir Project as an alternative site. It's possible this site may be evaluated as part of the Distribution System Master Plan, but no current use is identified.



#	APN	Property Location	Property Size	Comments
8	708-41-024	Santa Theresa Creek at Fortini Road, San Jose	1.2 +/- acres	Property not currently used or anticipated to be used.

## EXCESS PROPERTY FOR SURPLUS CONSIDERATION



#	APN	Property Location	Property Size	Comments
9	708-41-031	Santa Theresa Creek at San Vincente and Schillingsburg, San Jose	2.44 +/- acres	Property contains old SMP-1 mitigation site but is not currently used or anticipated to be used.



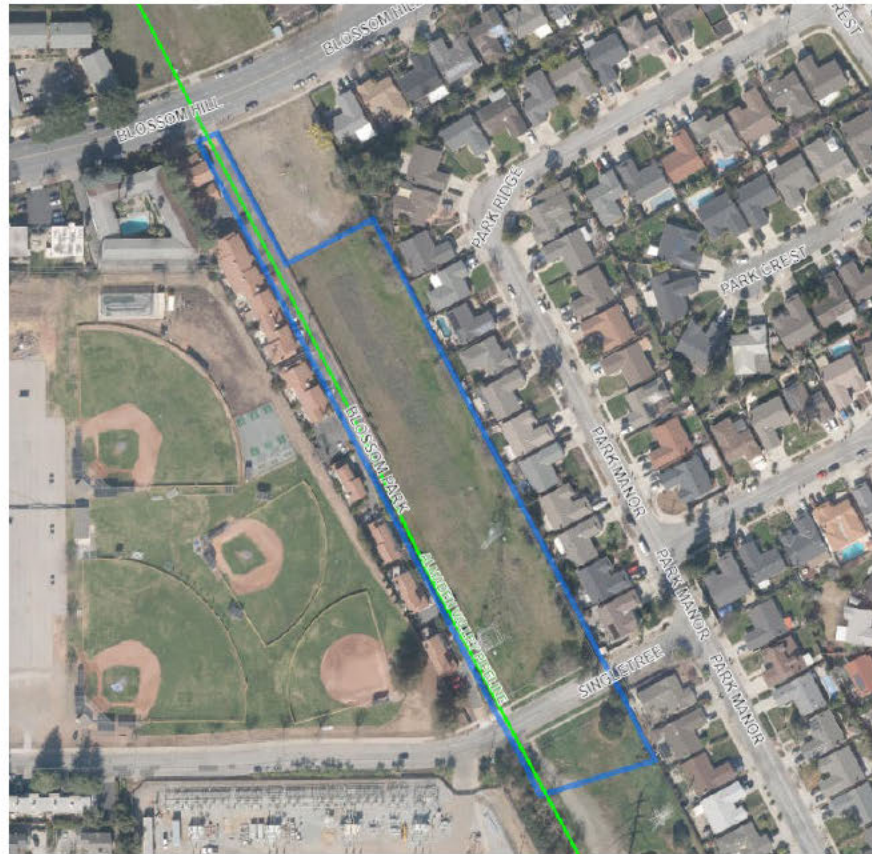
## Properties for Potential Unhoused Support

#	APN	Property Location	Property Size	Residential Area	General Plan Designation	Flood Zone	Additional Comments
1	Portion of 254-29-023	Upper Pen U/S of Highway 280, San José	2.8 +/- acres	Yes	Open Space, Parklands and Habitat	Immediately surrounding the creek is Zone A, most of the parcel is Zone X (unshaded).	Not needed in near term - project is pending USACE funding.



## Properties for Potential Unhoused Support

#	APN	Property Location	Property Size	Residential Area	General Plan Designation	Flood Zone	Additional Comments
2	567-28-005	Almaden Valley Pipeline at Singletree Way, San José	3.12 +/- acres	Yes	Open Space, Parklands and Habitat	No, Zone D	PG&E easement and high voltage lines also on the property.



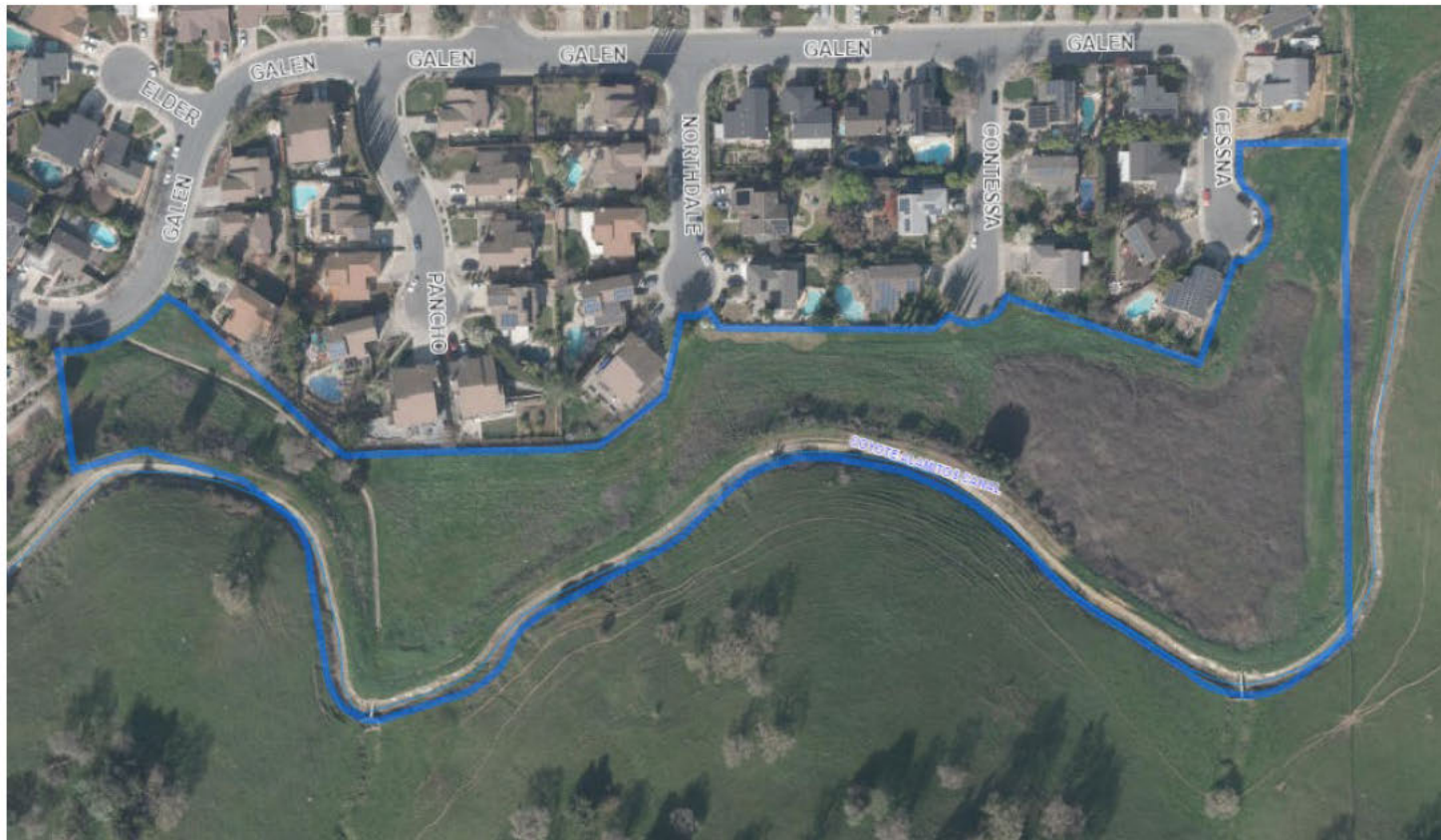
## Properties for Potential Unhoused Support

#	APN	Property Location	Property Size	Residential Area	General Plan Designation	Flood Zone	Additional Comments
3	567-30-016	Almaden Valley Pipeline Singletree Way, San José	2.92 +/- acres	Yes	Open Space, Parklands and Habitat	No, Zone D	PG&E easement and high voltage lines also on the property.



## Properties for Potential Unhoused Support

#	APN	Property Location	Property Size	Residential Area	General Plan Designation	Flood Zone	Additional Comments
4	689-61-001	Coyote Alamitos Canal off Galen Drive, San José	6.09 +/- acres	Yes	Open Space, Parklands and Habitat	No, Zone D	Hillside land



## Properties for Potential Unhoused Support

#	APN	Property Location	Property Size	Residential Area	General Plan Designation	Flood Zone	Additional Comments
5	708-21-014	Coyote Alamitos Canal off Santa Teresa, San José	10.81 +/- acres	Yes	Open Space, Parklands and Habitat	No, Zone D	Hillside land



## Properties for Potential Unhoused Support

#	APN	Property Location	Property Size	Residential Area	General Plan Designation	Flood Zone	Additional Comments
6	725-06-001	Coyote Canal near Coyote Creek Golf Drive and HWY 101, San Jose	23.91 +/- acres	No	Open Hillside	No, Zone D	Portion currently used for canal access. Valley Water working with developer for possible unhoused support.



## Properties for Potential Unhoused Support

#	APN	Property Location	Property Size	Residential Area	General Plan Designation	Flood Zone	Additional Comments
7	254-15-078	Upper Penitencia Creek at intersection between Jackson Ave and Commodore Dr, San Jose	3.41 +/- acres	Yes	Open Space, Parklands and Habitat	Zone X (shaded); small portion along creek in Zone AE	



## Properties for Potential Unhoused Support

#	APN	Property Location	Property	Residential Area	General Plan Designation	Flood Zone	Additional Comments
8	Portion of 459-06-036 and 459-06-047	Guadalupe River near intersection of Chard Dr and Almaden Expy, San Jose	1.44 +/- acres	Y	Open Space, Parklands and Habitat	Yes, Zone A around creek; potentially available portion in Zone D	



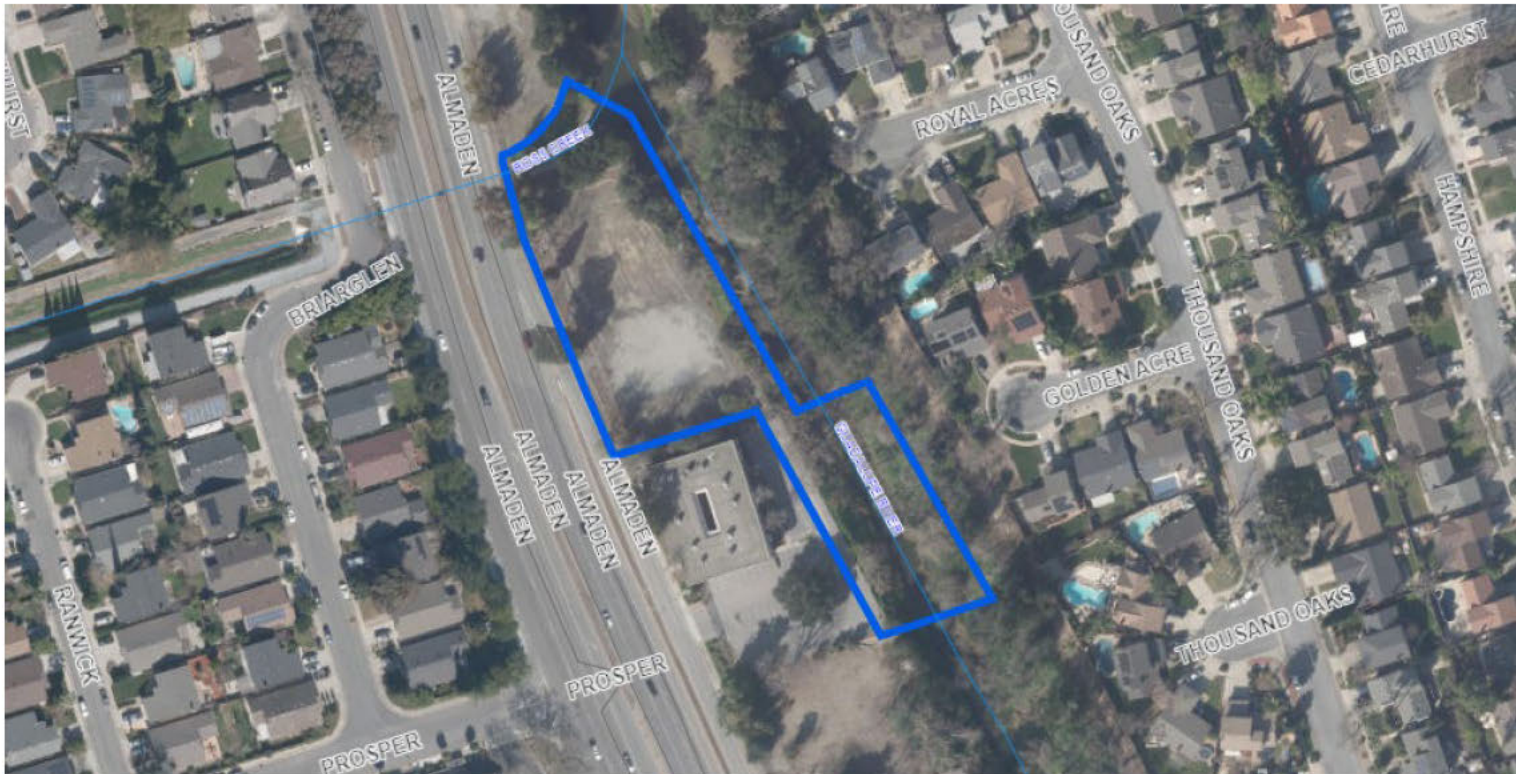
## Properties for Potential Unhoused Support

#	APN	Property Location	Property Size	Residential Area	General Plan Designation	Flood Zone	Additional Comments
9	567-69-002	Guadalupe Creek at intersection of Meridian Ave and Coleman Rd, San Jose	1.83 +/- acres	Yes	Open Space, Parklands and Habitat	No, Zone D	



## Properties for Potential Unhoused Support

#	APN	Property Location	Property Size	Residential Area	General Plan Designation	Flood Zone	Additional Comments
10	Portion of 459-01-021	Confluence of Ross Creek and Guadalupe River, San Jose	1.68 +/- Acres	Y	Open Space, Parklands and Habitat	Yes, Zone A immediately around creeks; center of parcel in Zone D	



## Properties for Potential Unhoused Support

#	APN	Property Location	Property Size	Residential Area	General Plan Designation	Flood Zone	Additional Comments
11	652-03-020	Corner of Pleasant Acres Dr. & Klein Rd, Unincorporated	11.39 +/- acres	Yes	Other Public Open Lands	No, Zone D	Property being evaluated as part of the Distribution System Master Plan.



## Properties for Potential Unhoused Support

#	APN	Property Location	Property Size	Residential Area	General Plan Designation	Flood Zone	Additional Comments
12	790-09-008	Near intersection of Lions Creek and Wren Ave, Unincorporated	4.0 +/- acres	Yes	Open Space Reserve	Zone X (unshaded)	Portion was used for project as planned. Valley Water in discussions with developer for possible unhoused support.



## Properties for Potential Unhoused Support

#	APN	Property Location	Property Size	Residential Area	General Plan Designation	Flood Zone	Additional Comments
13	458-16-035	Guadalupe River along Cherry Ave, San Jose	3.72 +/- acres	Yes	Open Space, Parklands and Habitat	No, Zone D	Valley Water currently working with the City of San Jose for potential development to support the unhoused.





# MEMORANDUM

FC 14 (01-25-23)

**TO:** Board of Directors

**FROM:** Lilian Dennis

**SUBJECT:** Risk Management Unit Communication

**DATE:** July 15, 2024

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The purpose of this memorandum is to provide you a with copy of recent Risk Management staff's communication with parties/individuals that have filed a claim against Valley Water.

Please find the following:

- 1) June 13, 2024 - Claim Settlement letter to Diana G. Lloyd (District 7)
- 2) June 27, 2024 - Claim Settlement letter to Kent Phan (District 6)
- 3) July 3, 2024 - Letter acknowledging receipt of claim to Jennifer L. Contos (District 2)
- 4) July 14, 2024 - Claim Settlement letter to Mr. Roberts obo Robert and Arlene Lopes (District 4)
- 5) July 15, 2024 - Letter acknowledging receipt of amended claim to Lucila A. Godoy De Garcia (District 1)
- 6) July 15, 2024 – Late Claim letter to Carlos Palomino (District 1)

For additional information, please contact me at 408-630-2652.

DocuSigned by:

*Lilian Dennis*

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Lilian Dennis  
Management Analyst II  
Risk Management Unit



June 13, 2024

Diana G. Lloyd  
1051 Alegre Avenue  
Los Altos, CA 94024

Re: Settlement – L2340012

Dear Ms. Lloyd:

Enclosed is the final settlement check regarding the above-mentioned claim. The total amount of the settlement is \$9,873.37.

On behalf of Valley Water, I apologize for any inconvenience this incident caused and thank you for your cooperation.

Sincerely,

DocuSigned by:  
  
A16A4D1E4675476...  
**Lillian Dennis**  
Management Analyst II  
Risk Management Unit

Enc: Settlement Check #514176





Clean Water • Healthy Environment • Flood Protection

June 27, 2024

Kent Phan  
3303 Mt. Vista Dr.  
San Jose, CA 95127

Re: Settlement – L2340017

Dear Mr. Phan:

Enclosed is the final settlement check regarding the above-mentioned claim. The total amount of the settlement is \$753.06.

On behalf of Valley Water, I apologize for any inconvenience this incident caused and thank you for your cooperation.

Sincerely,

DocuSigned by:  
*Lilian Dennis*  
A16A1D1E4675476...

Lilian Dennis  
Management Analyst II  
Risk Management Unit

Enc: Settlement Check #514501





July 3, 2024

Jennifer L. Contos  
1596 Creek Drive  
San Jose, CA 95125

Re: Receipt of Claim – L2340020

Dear Ms. Contos:

We received your claim regarding the property damage resulting from the tree that fell on May 28, 2024.

We are currently investigating the claim and will notify you of our findings.

If you have any questions, please don't hesitate to contact me at (408) 630-2652 or at [ldennis@valleywater.org](mailto:ldennis@valleywater.org)

Sincerely,

DocuSigned by:  
  
A16A1D1E4675476...  
**Lillian Dennis**  
Management Analyst II  
Risk Management Unit





## CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT

### California Government Code Sections 900 and following

Page 1 of 2

<p><b>The completed form can be mailed, sent electronically or hand delivered. Mail or deliver to:</b></p> <p>Clerk of the Board                  Santa Clara Valley Water District-HQ                  5700 Almaden Expressway                  San Jose, CA 95118</p> <p>Or submit the completed form electronically to:                  clerkoftheboard@valleywater.org</p>	<p style="text-align: center;">Clerk of the Board's Date Stamp</p> <hr/> <p style="text-align: center;"><b>For SCVWD Use Only</b></p> <p>Date Received: <span style="color: red;">7/3/24</span></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">ROUTING</th> </tr> <tr> <td><input type="checkbox"/> Via U.S. Mail</td> <td><input checked="" type="checkbox"/> CEO</td> </tr> <tr> <td><input type="checkbox"/> Hand Delivered</td> <td><input checked="" type="checkbox"/> District Counsel</td> </tr> <tr> <td><input checked="" type="checkbox"/> Email</td> <td><input checked="" type="checkbox"/> Risk Management</td> </tr> <tr> <td><input type="checkbox"/> Other: _____</td> <td><input checked="" type="checkbox"/> COB</td> </tr> <tr> <td></td> <td><input checked="" type="checkbox"/> BOD (District #): <span style="color: red;">2</span></td> </tr> </table>	ROUTING		<input type="checkbox"/> Via U.S. Mail	<input checked="" type="checkbox"/> CEO	<input type="checkbox"/> Hand Delivered	<input checked="" type="checkbox"/> District Counsel	<input checked="" type="checkbox"/> Email	<input checked="" type="checkbox"/> Risk Management	<input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> COB		<input checked="" type="checkbox"/> BOD (District #): <span style="color: red;">2</span>
ROUTING													
<input type="checkbox"/> Via U.S. Mail	<input checked="" type="checkbox"/> CEO												
<input type="checkbox"/> Hand Delivered	<input checked="" type="checkbox"/> District Counsel												
<input checked="" type="checkbox"/> Email	<input checked="" type="checkbox"/> Risk Management												
<input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> COB												
	<input checked="" type="checkbox"/> BOD (District #): <span style="color: red;">2</span>												

*With certain exceptions, claims for personal injury or property damage MUST be filed within six months of the incident giving rise to the claim. Claimant must complete each section. If information is unknown, write "unknown" in the appropriate box. Please use additional pages if necessary. Please attach itemized receipts, witness statements, photos and all other documentation that you believe will be helpful to process your claim. Claimant MUST sign and date the form; see last page.*

Name of Claimant: Jennifer L Contos		Email Address: jenniferlynnjenkins@me.com	
Address of Claimant: 1596 Creek Drive		City: San Jose	State: CA
		Zip: 95125	
Address to which Notices should be sent, if different from above:		City:	State: Zip:
Home Phone Number: 408-425-4309	Cell Phone Number: 408-425-4309	Work Phone Number: 408-425-4309	
Is this claim being filed on behalf of a minor? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If so, please indicate minor's date of birth: Relationship to the minor:	
Date and time of incident or loss: May 28, 2024  (unknown time in the morning; owners were at work)	Location of incident or loss (address): 1596 Creek Drive, San Jose, CA 95125	Is there a police report? <input type="checkbox"/> Yes    If Yes, Police Report Case #:  <input checked="" type="checkbox"/> No	

Describe how the incident or loss happened, and the reason you believe the Santa Clara Valley Water District is responsible for your damages (*Please attach additional sheets if necessary*):

A very large OAK tree growing in the Guadalupe Creek behind our house fell across our fence and onto our property. The tree was planted and managed by the Santa Clara Water District and grows on the water district property. The tree was then partially cut down several days later by workers at the Santa Clara Valley Water District. The Santa Clara Valley Water District was mentioned by several of the workers that day as the responsible party who would pay for the damage to our property.



**CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT  
California Government Code Sections 900 and following**

Page 2 of 2

In detail, describe the damage or injury (*Please attach additional sheets if necessary*):

The tree did damage to our

- 1) fence -- several fence boards to our perimeter fence were cracked and/or broken and need to be replaced and stained.
- 2) patio shade covering -- several hanging shade fabric coverings were ripped and are now dirty. All 8 will need to be replaced so that they match the ones ripped. Home Depot no longer sells that color.
- 3) The tree that fell caused many new spiders and pests to come near and around our home. We had just paid to have a company rid the eaves of spiders/ spider webs a week prior.
- 4) our patio fountain plants and ceramic pots -- one pot cracked; several Boston Ferns smashed
- 5) a gate located on our patio-- double door gate ripped away from wall; Gate needs total replacement.

List Name(s) and contact information of any witness(es) or District employee involved (if any):

Greg Contos (my husband) -- 510-695-8348 (lives at the above address)

SCVWD Employees Contacted -- (came to our house)

- 1) Ryan Tregoning (unknown #)
- 2) Ron Snyder -- (408) 630-2919

**DAMAGES CLAIMED:** Basis for computation of amounts claimed (include copies of bills, invoices, estimates, receipts, photos, police case # or other documentation.) Note: If your claim is more than \$10,000, you need not fill in an amount, but must state whether jurisdiction for the claim would be in the Limited Jurisdiction (up to \$25,000) or Unlimited jurisdiction of the Superior Court.

Is the amount of the claim under \$10,000?  Yes  No  
 Court Jurisdiction: (Check One)  Limited Civil  Unlimited Civil

ITEMS	CLAIM AMOUNT
1. Patio Shade Fabric Triangles, potted fern plants, ceramic pots	\$450
2. Roof cleaning and replacement of one area of tar shingles	\$ 800
3. Double door gate replacement and replacement of several fence boards.	\$6,800
4. Pest control -- pest abatement fee to clean out eaves where tree fell	\$ 200
<b>TOTAL AMOUNT</b>	<b>\$8,250</b>

**WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE OR FRAUDULENT CLAIM (Penal Code Section 72 and 550)**

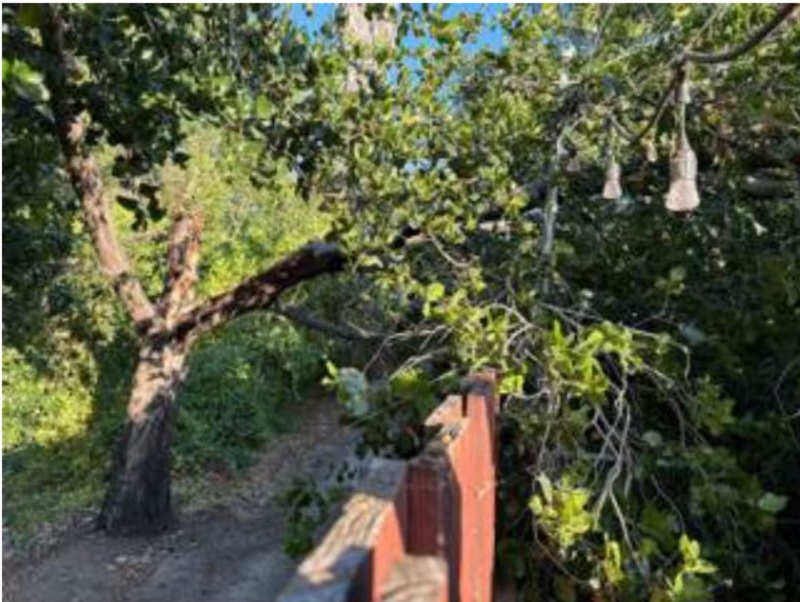
I have read the matters and statements made in the above claim and I know the same to be true of my own knowledge, except to those matters stated upon information and belief and as to such matters I believe the same to be true. I certify under penalty of perjury that the foregoing is TRUE and CORRECT.

Signed this 18 day of June, 2024

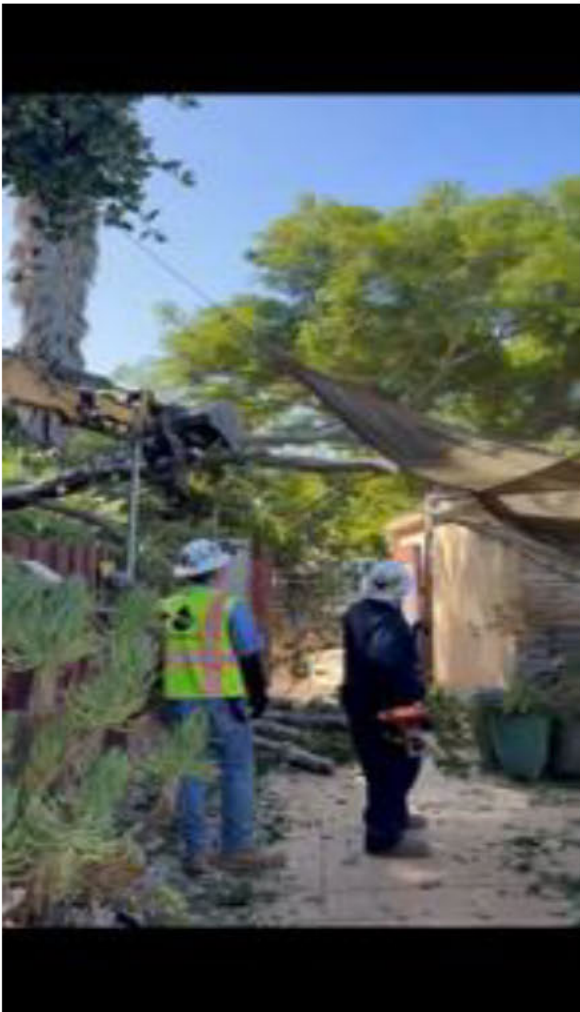
Claimant's Signature

Government Code Section 945.6 provides that, with limited exceptions, any suit brought against a public entity must be commenced:

- (1) If written notice is given of a denial of claim in accordance with **Section 913**, not later than six months after the date such notice is personally delivered or deposited in the mail.
- (2) If written notice is not given of a denial of claim in accordance with **Section 913**, within two years from the accrual of the cause of action.









July 14, 2024

Hand-Delivered

Arlene and Robert Lopes  
c/o  
Jim Roberts  
Attorney at Law  
Roberts | Elliott Law Corporation  
1798 Technology Drive Suite 292  
San Jose, CA 95110

Re: Final Settlement for Claim #L2230013

Dear Mr. and Mrs. Lopes:

Enclosed is the final settlement check in the amount of \$210,000.00 regarding the above-mentioned claim.

On behalf of Valley Water, I apologize for any inconvenience this incident caused and thank you for your cooperation.

Sincerely,

DocuSigned by:  
  
A16A1D1E4675476...

Lilian Dennis  
Management Analyst II  
Risk Management Unit

Enc: Settlement Check #515385





July 15, 2024

Lucila A. Godoy De Garcia  
17490 Hoot Owl Way  
Morgan Hill, CA 95037

Re: Receipt of Amended Claim – L2230035

Dear Ms. Godoy De Garcia:

This letter serves as confirmation that your claim amendment was received on June 10, 2024. The amendment is for the removal and replacement of the driveway and building of a retaining wall.

Your original claim was filed on June 12, 2023, and according to the notes from Valley Water’s Risk Manager David Cahen, he states the portion of the claim related to the retaining wall was rejected as being outside of the statute of limitations as the damages allegedly started in 2017. This was conveyed to you in a letter dated July 6, 2023.

Furthermore, the amended claim which was presented to Valley Water on June 10, 2024, is being returned because it was not presented within six (6) months after the event or occurrence as required by law. See sections 901 and 911.2 of the Government Code. Because the claim was not presented within the time allowed by law, no action was taken on the claim.

**WARNING**

Your only recourse at this time is to apply without delay to Valley Water’s Board of Directors for leave to present a late claim. See sections 911.4 to 912.2, inclusive, and section 946.6 of the Government Code. Under some circumstances, leave to present a late claim may be granted. See Government Code section 911.6.

If you have any questions, you can contact the Risk Management Unit at (408) 630-2213 or at [RiskManager@valleywater.org](mailto:RiskManager@valleywater.org).

Lastly, on October 17, 2023, Mr. Cahen presented you with a proposal of \$5,000 in exchange for a full settlement and release. You accepted that offer and we followed up by sending you the settlement release document for your review and signature on November 1, 2023 which you declined on November 10, 2023. We are extending you the same settlement offer of \$5,000.00. Please let me know if you accept this offer and we will prepare the paperwork.

DocuSigned by:  
  
A16A1D1E4675476...  
**Lillian Dennis**  
Management Analyst II  
Risk Management Unit





**CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT  
California Government Code Sections 900 and following**

<p><b>The completed form can be mailed, sent electronically or hand delivered. Mail or deliver to:</b></p> <p>Clerk of the Board Santa Clara Valley Water District-HQ 5700 Almaden Expressway San Jose, CA 95118</p> <p>Or submit the completed form electronically to: clerkoftheboard@valleywater.org</p>	Clerk of the Board's Date Stamp	
	For SCVWD Use Only	
	Date Received: <b>6/10/24</b>	<b>ROUTING</b>
	<input type="checkbox"/> Via U.S. Mail:	<input checked="" type="checkbox"/> CEO:
	<input type="checkbox"/> Hand Delivered:	<input checked="" type="checkbox"/> District Counsel
	<input checked="" type="checkbox"/> E-mail:	<input checked="" type="checkbox"/> Risk Management
<input type="checkbox"/> Other:	<input checked="" type="checkbox"/> COB	
	<input checked="" type="checkbox"/> BOD (District #): <b>1</b>	

*With certain exceptions, claims for personal injury or property damage MUST be filed within six months of the incident giving rise to the claim. Claimant must complete each section. If information is unknown, write "unknown" in the appropriate box. Please use additional pages if necessary. Please attach itemized receipts, witness statements, photos and all other documentation that you believe will be helpful to process your claim. Claimant MUST sign and date the form; see last page.*

Name of Claimant: <b>LUCILA GADDA DE GARZA</b>			
Address of Claimant: <b>17490 Hot and way</b>		City: <b>MORGAN HILL</b>	State: <b>CA</b>
Zip: <b>95097</b>			
Mailing Address to Which Notices Should be Sent if Different From Above: <b>1866 W San Carlos St</b>		City: <b>SAN JOSE</b>	State: <b>CA</b>
Zip: <b>95128</b>			
Home Phone Number: <b>408 768 5101</b>	Cell Phone Number: <b>SAME</b>	Work Phone Number: <b>408 882 0120</b>	
Is this claim being filed on behalf of a minor? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If so, please indicate minor's date of birth: _____ Relationship to the minor: _____	
Date and time of incident or loss:	Location of incident or loss (address):	Is there a police report? <input type="checkbox"/> Yes If Yes, Police Report #:  <input type="checkbox"/> No	

Describe how the incident or loss happened, and the reason you believe the Santa Clara Valley Water District is responsible for your damages (Please attach additional sheets if necessary):



**CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT  
California Government Code Sections 900 and following**

In detail, describe the damage or injury (Please attach additional sheets if necessary): *Adj. statement damage in my house, please help us.*

List Name(s) and contact information of any witness(es) or District employee involved (if any):

DAMAGES CLAIMED: Basis for computation of amounts claimed (include copies of bills, invoices, estimates, receipts, photos, police case # or other documentation.) Note: If your claim is more than \$10,000, you need not fill in an amount, but must state whether jurisdiction for the claim would be in the Limited Jurisdiction (up to \$25,000) or Unlimited jurisdiction of the Superior Court.

Is the amount of the claim under \$10,000?  Yes  No  
 Court Jurisdiction: (Check One)  Limited Civil  Unlimited Civil

ITEMS	CLAIM AMOUNT
1.	\$
2.	\$
3.	\$
4.	\$
<b>TOTAL AMOUNT</b>	
	\$

**WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE OR FRAUDULENT CLAIM (Penal Code Section 72 and 550)**

I have read the matters and statements made in the above claim and I know the same to be true of my own knowledge, except to those matters stated upon information and belief and as to such matters I believe the same to be true. I certify under penalty of perjury that the foregoing is TRUE and CORRECT.

Signed this 07 day of June, 2024 *Juda*  
 Claimant's signature

Government Code Section 945.6 provides that, with limited exceptions, any suit brought against a public entity must be commenced:

- (1) If written notice is given of a denial of claim in accordance with **Section 913**, not later than six months after the date such notice is personally delivered or deposited in the mail.
- (2) If written notice is not given of a denial of claim in accordance with **Section 913**, within two years from the accrual of the cause of action.





































July 15, 2024

Carlos Palomino  
2950 Holiday Court  
Morgan Hill, CA 95037

Re: Claim

Dear Mr. Palomino:

The claim which was presented to the Santa Clara Valley Water District on July 11, 2024 is being returned because it was not presented within six (6) months after the event or occurrence as required by law. See sections 901 and 911.2 of the Government Code. Because the claim was not presented within the time allowed by law, no action was taken on the claim.

**WARNING**

Your only recourse at this time is to apply without delay to Valley Water's Board of Directors for leave to present a late claim. See sections 911.4 to 912.2, inclusive, and section 946.6 of the Government Code. Under some circumstances, leave to present a late claim may be granted. See Government Code section 911.6.

If you have any questions, you can contact the Risk Management Unit at (408) 630-2213 or at [RiskManager@valleywater.org](mailto:RiskManager@valleywater.org).

Sincerely,

DocuSigned by:

A handwritten signature in black ink that reads "Lillian Dennis".

A16A1D1E4675476...

Lillian Dennis  
Management Analyst II  
Risk Management Unit

Enc: Claim





## CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT California Government Code Sections 900 and following

<p><b>The completed form can be mailed, sent electronically or hand delivered. Mail or deliver to:</b></p> <p>Clerk of the Board Santa Clara Valley Water District-HQ 5700 Almaden Expressway San Jose, CA 95118</p> <p>Or submit the completed form electronically to: <a href="mailto:clerkoftheboard@valleywater.org">clerkoftheboard@valleywater.org</a></p>	<p style="text-align: center;">Clerk of the Board's Date Stamp</p> <hr/> <p style="text-align: center;"><b>For SCVWD Use Only</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Date Received: 07/11/24</td> <td style="width: 50%; text-align: center;"><b>ROUTING</b></td> </tr> <tr> <td><input type="checkbox"/> Via U.S. Mail</td> <td><input checked="" type="checkbox"/> CEO</td> </tr> <tr> <td><input type="checkbox"/> Hand Delivered</td> <td><input checked="" type="checkbox"/> District Counsel</td> </tr> <tr> <td><input checked="" type="checkbox"/> Email</td> <td><input checked="" type="checkbox"/> Risk Management</td> </tr> <tr> <td><input type="checkbox"/> Other: _____</td> <td><input checked="" type="checkbox"/> COB</td> </tr> <tr> <td></td> <td><input checked="" type="checkbox"/> BOD (District #): <u>1</u></td> </tr> </table>	Date Received: 07/11/24	<b>ROUTING</b>	<input type="checkbox"/> Via U.S. Mail	<input checked="" type="checkbox"/> CEO	<input type="checkbox"/> Hand Delivered	<input checked="" type="checkbox"/> District Counsel	<input checked="" type="checkbox"/> Email	<input checked="" type="checkbox"/> Risk Management	<input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> COB		<input checked="" type="checkbox"/> BOD (District #): <u>1</u>
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	<input checked="" type="checkbox"/> BOD (District #): <u>1</u>												

**With certain exceptions, claims for personal injury or property damage MUST be filed within six months of the incident giving rise to the claim. Claimant must complete each section. If information is unknown, write "unknown" in the appropriate box. Please use additional pages if necessary. Please attach itemized receipts, witness statements, photos and all other documentation that you believe will be helpful to process your claim. Claimant MUST sign and date the form; see last page.**

Name of Claimant: Carlos Palomino		Email Address:	
Address of Claimant: 2950 Holiday Ct		City: Morgan Hill	State: CA
		Zip: 95037	
Address to which Notices should be sent, if different from above:		City:	State:
		Zip:	
Home Phone Number:	Cell Phone Number: (408)639-8928	Work Phone Number: (408)629-8260	
Is this claim being filed on behalf of a minor? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If so, please indicate minor's date of birth: Relationship to the minor:	
Date and time of incident or loss: during the last 3 years and getting worst as days goes by	Location of incident or loss (address): 2950 Holiday Ct Morgan Hill CA 95037	Is there a police report? <input type="checkbox"/> Yes    If Yes, Police Report Case #: <input checked="" type="checkbox"/> No	

Describe how the incident or loss happened, and the reason you believe the Santa Clara Valley Water District is responsible for your damages (*Please attach additional sheets if necessary*):

After the drainage of Anderson Lake, we start to noticed cracks on our concrete, then the half-inch cracks turn into two inch cracks turn into six inch cracks over a couple-year span. Then our concrete stairs start to move as well of our piers for our decks and our retainer walls begin craking, all in the past 2-3 years.

We haven't done any assesment of the house's fundation but I won't be suprice if we find damage.

We are convince that the drainage of the lake is playing a mayor rol in this damages and it should be prevented by SCVWD.

The SCVWD should be responsible for consecuenses of his actions.



## CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT California Government Code Sections 900 and following

In detail, describe the damage or injury (*Please attach additional sheets if necessary*):  
 Large cracks are open in diferent aras of the property, driveway is sinking and getting crack, a large concret stair has moved again a retaining wall, pilars from front and back deck moved, retaining wall cracked open, etc.  
 Everything begin about 3 years ago and las two years is getting way worst.  
 Please see attached pictures for some of the damages

List Name(s) and contact information of any witness(es) or District employee involved (if any):  
 I contact Tony Mercado over the phone and he refferme to Risk Management to file a claim.

**DAMAGES CLAIMED:** Basis for computation of amounts claimed (include copies of bills, invoices, estimates, receipts, photos, police case # or other documentation.) Note: If your claim is more than \$10,000, you need not fill in an amount, but must state whether jurisdiction for the claim would be in the Limited Jurisdiction (up to \$25,000) or Unlimited jurisdiction of the Superior Court.

Is the amount of the claim under \$10,000?       Yes                       No  
 Court Jurisdiction: (Check One)               Limited Civil               Unlimited Civil

ITEMS	CLAIM AMOUNT
1.	\$
2.	\$
3.	\$
4.	\$
<b>TOTAL AMOUNT</b>	<b>\$</b>

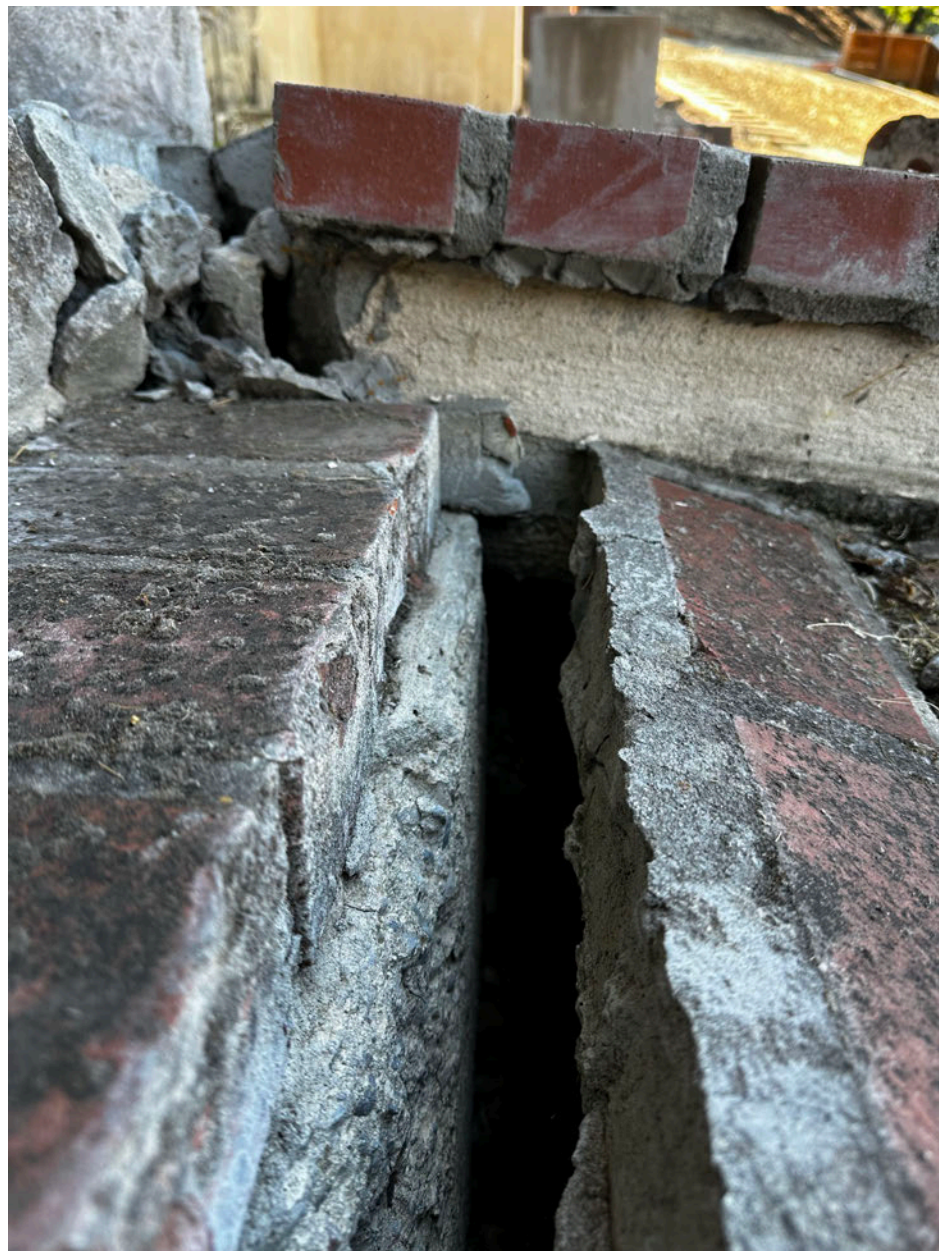
**WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE OR FRAUDULENT CLAIM (Penal Code Section 72 and 550)**

I have read the matters and statements made in the above claim and I know the same to be true of my own knowledge, except to those matters stated upon information and belief and as to such matters I believe the same to be true. I certify under penalty of perjury that the foregoing is TRUE and CORRECT.

Signed this 11 day of June, 2024  \_\_\_\_\_  
Claimant's Signature

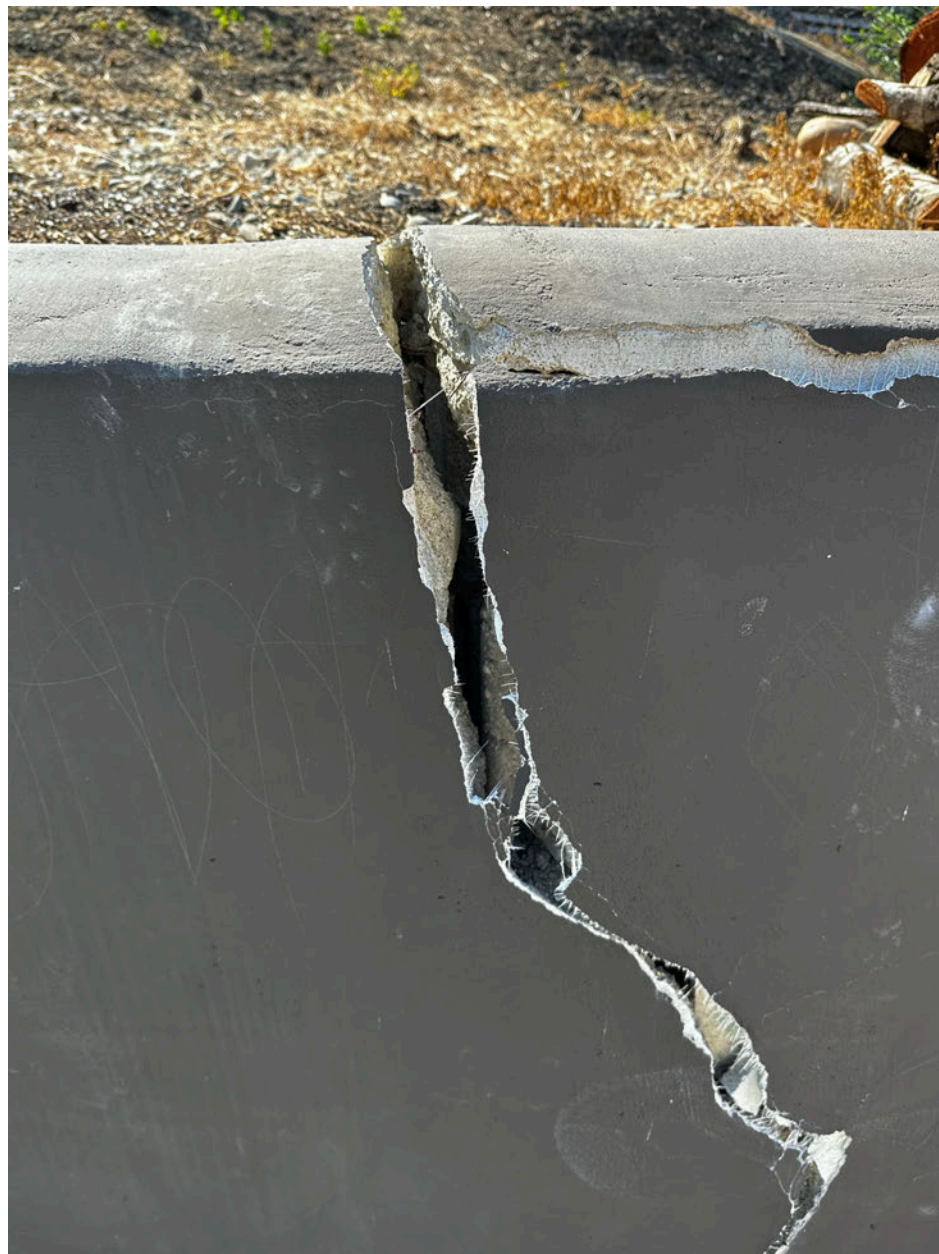
Government Code Section 945.6 provides that, with limited exceptions, any suit brought against a public entity must be commenced:

- (1) If written notice is given of a denial of claim in accordance with **Section 913**, not later than six months after the date such notice is personally delivered or deposited in the mail.
- (2) If written notice is not given of a denial of claim in accordance with **Section 913**, within two years from the accrual of the cause of action.













# **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-24-0161	07/01/24	07/01/24	All	WENDY LI	Email from Wendy Li to the board, dated 07/01/24, inquiring how Valley Water will be affected by the Supreme Court decision to overrule Grant Pass vs. Johnson.	Noted and Filed	Hakes	Bilski Codianne	07/09/24	07/05/24	n/a	07/15/24
C-24-0168	07/11/24	07/11/24	All	JIM KUHL	Email from Jim Kuhl to the board, dated 07/11/24, with Questions, Issues and Concerns related to Valley Water's Water Affordability Study.	Refer to Staff	Callender Taylor	Baker Gin	07/19/24	-	n/a	07/25/24
C-24-0169	07/11/24	07/11/24	All	DON OROZCO	Email from Don Orozco to Director Eisenberg and the board, dated 07/11/24, requesting a tour of Valley Water for a group of City	Refer to Staff	Gibson	Lugo	07/19/24	-	n/a	07/25/24

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
					officials and business owners from Manila, Philippines in October 2024.							
C-24-0178	07/15/24	07/15/24	All	THUNDER PARLEY	Email from Thunder Parley to the board, dated 07/15/24, reporting a fire and safety hazard near Salamoni Ct. and Lundy Ave.	Refer to Staff	Hakes	Bilski Codianne	07/23/24	-	n/a	07/29/24
C-24-0179	07/16/24	07/16/24	All	ANTHONY VIZZUSI	Email from Anthony Vizzusi to Director Varela, dated 07/16/24, requesting a status update of the weed cleaning around the Valley Water District staging area inside Holiday Lake Estates.	Refer to Staff	Hakes	Codianne	07/24/24	-	n/a	07/30/24

**From:** [Melissa Mallory](#)  
**To:** [Board of Directors](#)  
**Subject:** Re: Screaming throughout day on LGCT behind Willowbrook Townhomes  
**Date:** Wednesday, July 10, 2024 1:19:41 PM  
**Attachments:** [image003.png](#)

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

Hello Barbara Keegan and other Board members,

Thank you for your email. Both my husband and I appreciate your response.

I did hear a report on Channel 3, that Valley Water is proposing a \$500 fine to each unhoused individual or/and go to jail for not adhering to the notice to vacate, near waterways, after a 3 day posting. And, that police will enforce new rules.

My husband and I do agree that this is a first step, however in the almost 10 years living at our current residence, the ordinances are already not being enforced. Also, we have read/heard that over 60% of the Unhoused want to continue to live without folks telling them how to live. They want to continue to destroy their (our) surroundings and make and smoke crack (we have seen/smelled).

We have witnessed through the years that the Unhoused do not want to live in housing even if provided, they say that they do not want to live in units that have mold and that do not allow for their dogs/cats to be able to live with them.

We have gone through many sleepless nights, not knowing what we will be waking up to. I hope that the city of San Jose, comes up with some sort of long term plan, that will end this frustration for us and our neighbors, and finally make the Los Gatos Creek, and other waterways safe for others, including Valley Water workers.

Thanks again,

Melissa Mallory and Timothy Quinn

On Mon, Jul 8, 2024 at 9:00 AM Board of Directors <[board@valleywater.org](mailto:board@valleywater.org)> wrote:

***Sent on Behalf of Director Keegan:***

Dear Melissa Mallory and Timothy Quinn,

Thank you for reaching out to Valley Water and sharing your experiences and frustration regarding the encampments of unsheltered people located along Los Gatos Creek near your home. Valley Water is committed to using the power we have as an environmental stewardship agency to protect our waterways in collaboration with the cities and the County as they fulfill their public safety and social service roles.

As you note, solutions that will allow us to remove unmanaged encampments along the many miles of our waterways will necessarily include the creation of new interim housing or safe sleeping alternatives, with a path toward permanent options elsewhere. Valley Water is actively working with the City of San José and other partners to find solutions to address unsheltered homelessness. This includes identifying and contributing Valley Water land for use as interim housing or safe sleeping sites.

Additionally, on July 9, 2024, the Valley Water Board will consider adopting a proposed Water Resources Protection Zones Ordinance aimed at reducing unsanctioned encampments and preventing re-encampments on Valley Water property. This ordinance is intended to address our agency's 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. Because Valley Water does not possess police powers, local law enforcement agencies would have the authority and responsibility to enforce this ordinance if it is adopted. However, even if the Board chooses to adopt the Water Resources Protection Zones Ordinance, new housing and shelter options will continue to be a critical and necessary component of any efforts to reduce encampments in the waterways.

Regarding your observation of potentially criminal activities, if you witness illegal activity or a threat to public health and safety, please continue to contact the police and, if possible, file an official report. Concerns relating to unwanted or illegal behaviors are best handled by City resources. Valley Water is not a law enforcement agency and must rely on cities and the County to address these types of activities.

Thank you again for your message. Please contact Assistant Operating Officer Mark Bilski at [mbilski@valleywater.org](mailto:mbilski@valleywater.org) with any follow-up

information. You can also report concerns to Valley Water via our online system at <https://access.valleywater.org/s/>.

Sincerely,



Barbara Keegan

Director, District 2

C-24-0157

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**From:** Melissa Mallory <[mrosemallory](mailto:mrosemallory)>  
**Sent:** Saturday, June 29, 2024 2:56 PM  
**To:** [district6@sanjoseca.gov](mailto:district6@sanjoseca.gov); The Office of Mayor Matt Mahan <[mayor@sanjoseca.gov](mailto:mayor@sanjoseca.gov)>; HomelessConcerns <[homelessconcerns@sanjoseca.gov](mailto:homelessconcerns@sanjoseca.gov)>; Board of Directors <[board@valleywater.org](mailto:board@valleywater.org)>  
**Subject:** Screaming throughout day on LGCT behind Willowbrook Townhomes

\*\*\* 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 All parties involved,

My husband and I have lived approximately 200 feet from the Los Gatos Creek Trail, for over 9 years (near Stokes/Leigh).

We decided to move to: [REDACTED], after seeing salmon swimming upstream and hearing and seeing Cooper Hawks flying overhead.

We are surrounded by 16 mature Redwood trees, multiple oak and eucalyptus trees, and pine trees. We see beautiful sunsets from our southwesterly view of the Santa Cruz mountains.

Since living here we have been victims to continuous alarming activities (crime), including having our license plates switched with a felon's, having our cars broken into and items stolen, gas siphoned, windows smashed, mail and packages stolen.

My husband now sleeps downstairs, after a young man tried climbing our back fence to our deck, about a year ago.

Daily/weekly we have observed fights, have heard high pitched screaming, yelling, and motorized vehicles (motorcycles) driving fast, all hours of the day/night.

Currently, we have a young lady living in a green tent on the embankment to LGC, near LGCT, who has been a frequent flyer, who has moved away and then comes back, these last 2 years. **Two days ago, she screamed at the top of her lungs for 15 minutes, starting at 4:30 AM, waking me up as well as some neighbors. I did not call 311, as I have done that many times over the years, and have not had a resolution after doing so.**

All who live parallel to the LGCT are impacted by unhoused people living in 12x12 units, makeshift homes, tents, etc., causing all sorts of issues (much pollution/garbage/fecal matter and urine), which I am sure you have become acutely aware of.

Both my husband and I have witnessed actions from the city, and other organizations (cleaning up, picking up garbage etc.) that have just been temporary fixes and have cost the city/county a lot of money and time.

We believe we have a plan that is a win-win for the Unhoused and Housed as well as the creek, and our beautiful park-like setting, along the Los Gatos Creek Trail.

### Ideas for Permanent Solutions:

1. **Homelessness is Not allowed any longer (San Jose can take the lead on this)**
2. Unhoused go into a mandatory 2-3 year program (with their friends), living side by side in 12x12's, tiny houses or containers, inside a fenced parameter, with solar for power and compostable toilets, 1 bed, 1 burner, microwave w/ services, counselors on hand (who use DBT, Mindfulness practices, Byron Katie along w/ NVC and SMART) + be provided skills/training that lights them up, plant gardens, learn how to market and sell their produce, plus have 24 hour security/patrol. They will need to do weekly volunteer work inside of this community, and not be allowed to live inside of the outside community unless they are stable enough (will not hurt themselves or others).
3. **Penal Code 602 will be legally enforced 24/7** (Homeless/Unhoused are no longer allowed to hurt the community and its land/water)
4. Unhoused will not be allowed to come back to build another 12x12, or a series of 12x12's (Safety/fire/health issues)
5. 24/7 patrol of LGCT and Creek areas (most dangerous once dark up to 6 AM).

Putting up more fences and barricades does not stop the Unhoused from coming and going. Fences get cut and tarps and personal items of the Unhoused are propped back up in between fences under the trail and inside the creek area itself, sometimes putting blankets in between private/public lands.

My husband and I have more ideas for real change. I (Melissa) am willing to partake in a permanent solution as I have a wide range of experience helping others with addiction issues, domestic abuse, foster youth, homelessness, teaching, counseling and community building.

So far every agency and person whom we have spoken with (on phone/email) these last 9 years, in Santa Clara County, have all said to continue to call 311 and attend meetings. Still...no change.

We are looking forward to hearing/seeing **permanent steps** that will move us forward in permanent ways.

*We appreciate a resolution that is sustainable for All of us.*

Much Appreciation,

Melissa Mallory and Timothy Quinn

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

<~WRD0001.jpg> ReplyForward

**From:** [Luis Ramirez](#)  
**To:** [Board of Directors](#)  
**Subject:** MAKE A DECISION  
**Date:** Thursday, July 11, 2024 6:25:22 AM

---

**\*\*\* 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. \*\*\***

Just read today's Mercury New's article on homeless camps in District property. You are directors, that's what directors do - make decisions. This issue is year's old. I can believe you have not been discussing this for some time. Homeless people around water sources is NOT healthy! Do something.

Luis Ramirez

**From:** [jim.kuh](mailto:jim.kuh)  
**To:** [Clerk of the Board](#); [Board of Directors](#); [John Varela](#); [Barbara Keegan](#); [Richard Santos](#); [Jim Beall](#); [Nai Hsueh](#); [Tony Estremera](#); [Rebecca Eisenberg](#)  
**Cc:** [Rachael Gibson](#); [Matt Keller](#); [Michael Potter](#); [Aaron Baker](#); [Vincent Gin](#); [Kirsten Struve](#)  
**Subject:** Questions, Issues and Concerns to be Addressed in Water Affordability Study  
**Date:** Thursday, July 11, 2024 9:07:03 AM  
**Attachments:** [SFPUC Skyrocketing Rates 7-9-24.pdf](#)

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\*\*\* 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. \*\*\*

**To: Valley Water Board Members**

**Date: Thursday, July 11, 2024**

**Subject: Questions, Issues and Concerns to be Addressed in Water *Affordability* Study**

**San Francisco Public Utilities Commission Water *Affordability***

Attached is an ‘Opinion’ article by Peter Drekmeier, former mayor of Palo Alto and Policy Director for Tuolumne River Trust, published in the “SF Chronicle.” You might find it informative. I have highlighted in yellow the common significant concern areas Valley Water (VW) has with San Francisco Public Utility Commission’s water supply project investment plans and consequences on water billing rates and water supply demand.

**Water Affordability in North County**

To answer the question of future water *affordability*, the change in the consumer’s retail price must be predicted. San Jose Water Company (SJWC) should be selected as the water retailer to assess the impact of Valley Waters projected wholesale groundwater price increases because they serve over a million consumers and are a price leader.

**The following essential questions need to be addressed in Valley Water’s expert water *affordability* report:**

- 1. How will residents water bills from SJWC be impacted?**
- 2. For ‘Essential Workers’, what will the projected increase in water cost impact be on multi-unit rental housing and single-family housing with minimal or no landscaping?**
- 3. What will be the impact on *affordable* housing rentals?**
- 4. What will be the consequences to single-family property home owners with landscaped irrigated yards?**
- 5. What will the consequences to San Jose metropolitan area’s economy and cost-of-living?**

**The three items (i.e., A, B, & C) identified below also need to be addressed within the report.**

- A. End Consumer North County Water Cost Projection Encompass Planned plus All Anticipated Projects**

A roughcut water *affordability* analysis projects a 136% increase in San Jose Water Company's water rates caused by Valley Water's projected North County M&I (Zone W2) groundwater wholesale price after 2040. **In the *affordability* study all anticipated programs fully loaded costs, such as the Delta Tunnel (\$1,800/AF) and the proposed Plan B Water Conservation Program (\$1,338/AF), must be included in order to fully comprehend the potential water affordability impact.** Major decisional programs, such as PREP and SF Bay Desalinization, must be analyzed in a manner that they can be easily unlayered to identify their specific fiscal impact on San Jose Water Company water billing rates to facilitate future project selection decision making.

## **B. San Jose Water Company Water Conservation Billing Structure Impact on Water Supply Demand**

San Jose Water Company (SJWC) has an aggressive water conservation program built into their current water billing rate structure. The billing rate is designed to economically drive down high household water consumption by significantly charging more per unit of water consumed above a threshold of 85 g/d/p (i.e., 21 Ccf over a two-month billing period for an average household size of 3.1 adults). SJWC's billing structure goal has been designed to achieve SB1157's urban water rationing goal of reducing water consumption from the current average usage of 47 to 42 gallons per capita per day (g/p/d) by 2030. For SJWC, this 2030 goal translates to 11 Ccf over 2-months applicable for an average household of 3.1 individuals. SJWC's progressive socioeconomic billing methodology will likely be made more progressive over time. To offset VW's actual increased groundwater costs burden will most likely be placed on high-end, not low-end water users, to achieve the SB1157 legislated goal.

1. This progressive water conservation billing strategy could have potential significant unintended consequences. 40% to 50% of San Jose Metropolitan Area residential water usage is due to irrigation, a commonly accept number. It is reasonable to assume high water consumptions users are primarily property owners who are irrigating yards. Now assume SJWC's progressive water conservation billing program is very successful making irrigation of yards so expensive that all landscaping water usage ceases. The impacted set of high consumption water customers generate a higher portion of SJWC's revenue because of the characteristics of the billing structure. As a logical analytical test, assume this 50% of SJWC's revenue is lost from those high-end water users. That lost revenue must be recovered by SJWC to remain solvent and profitable. As the revenue ends for these highly profitable customers, SJWC must increase all their customer's water bills to compensate. This in turn drives down water consumption even more into a 'death-spiral'. This possible phenomena change will, of course, be gradual in the 'real-world' but its specter must be understood and managed long-term by both SJWC and VW. **Preventing the possible 'death-spiral' phenomena must be satisfactorily addressed in the affordability study. For financial health of SJWC and VW, overall North County water consumption levels must stay relatively stable in total water volume requirements across the geographic area long-term unless VW's ability to supply the required amount ceases to be sufficient.**

**C. San Jose Metropolitan Area Population Growth Uncertainty and Projected Water Supply Requirements**

VW and SJWC have been assuming the population they serve will grow 26% between 2020 and 2040 in their Water Management Utility Plans per the Association Of Bay Area Governments (ABAG) planning assumption guidelines. However, San Jose’s population declined 4.3% since 2020 according to the US Census Bureau. Independent researcher, Gaeton Lion, predicts it will be flat till 2060 (R7). The California Department Demographic Research Unit (DRU) official population forecast for California is flat after 2036.

The very high cost-of-living has been causing a migration of people out of the Bay Area. San Jose Metropolitan Area population is falling, not rising. All the prior ABAG population and housing growth predictions and planning assumptions are no longer valid. Mayor Matt Mahany calls ABAG’s RHNA a fantasy. Valley Water must consider the full implications of their planned infrastructure programs in this wider context of non-population growth. **An initially declining through 2035 and then and flat population growth through 2060 should be assessed as an alternative planning assumption in the water *affordability* study and consequences predicted.**

**Conclusion**

Valley Water’s water *affordability* report is scheduled to be published on July 25<sup>th</sup> under Darin Taylor’s leadership. The report has the potential to provide very significant information. The information yielded will enable VW Board and Staff to make better project selection decision by accurately projecting end consumer water rates and the consequences in the San Jose Metropolitan Area. I hope you find this input on water *affordability* report informational requirements of some value.

**Best regards,**

*Jim*

**Jim Kuhl**, Civic Issue Activist and Environmental Advocate

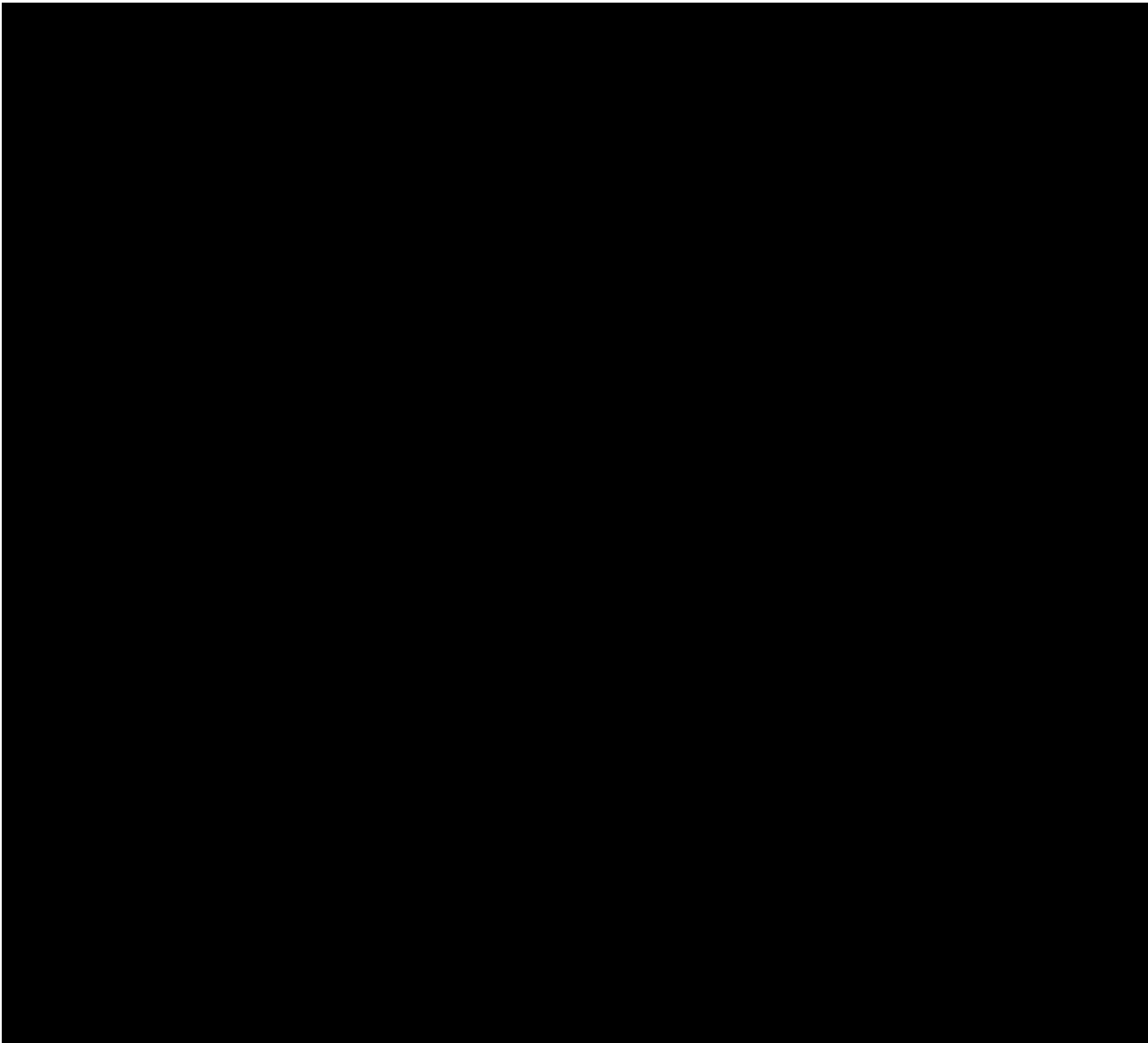
# San Francisco Chronicle

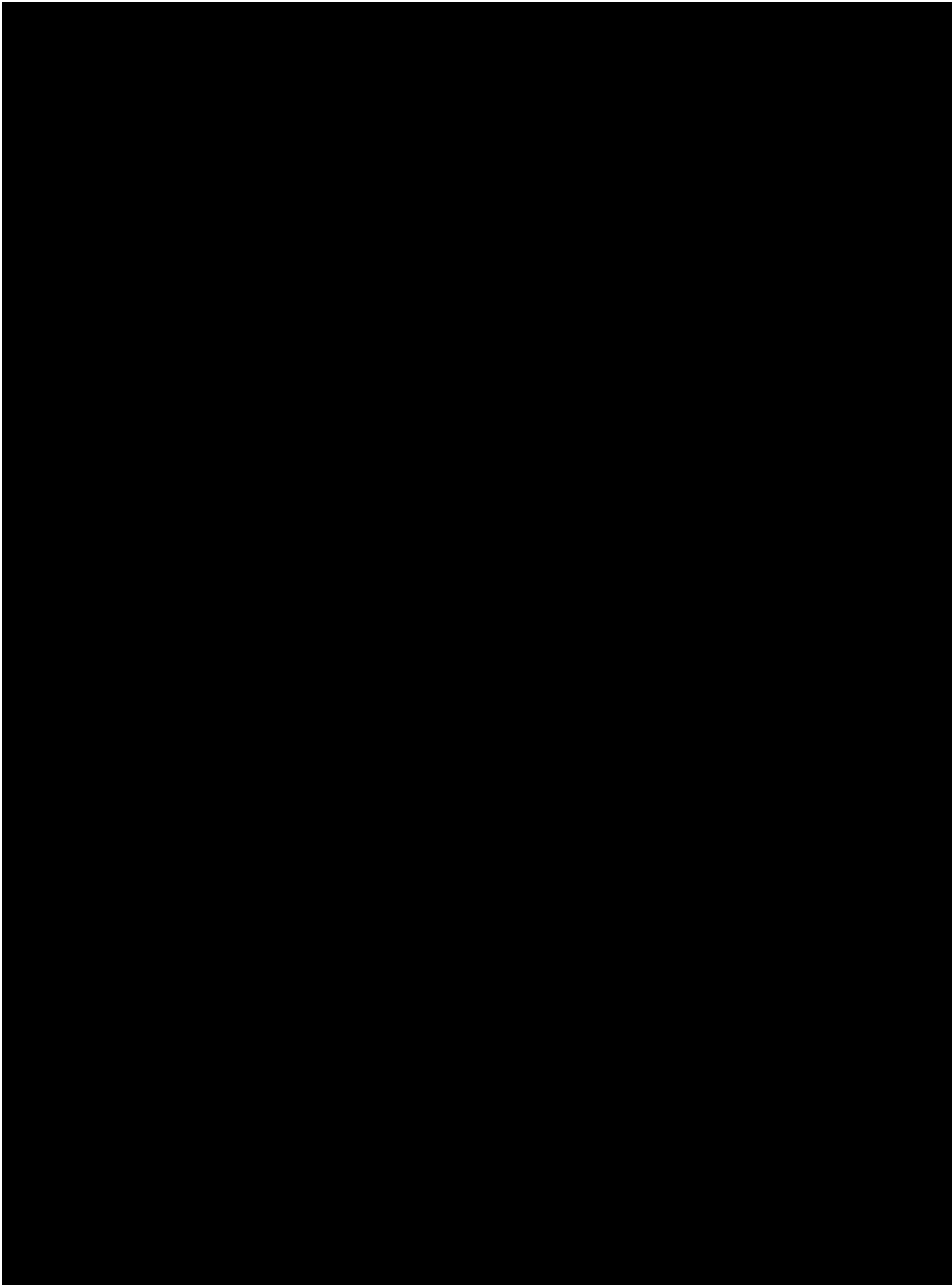
[OPINION//OPEN FORUM](#)

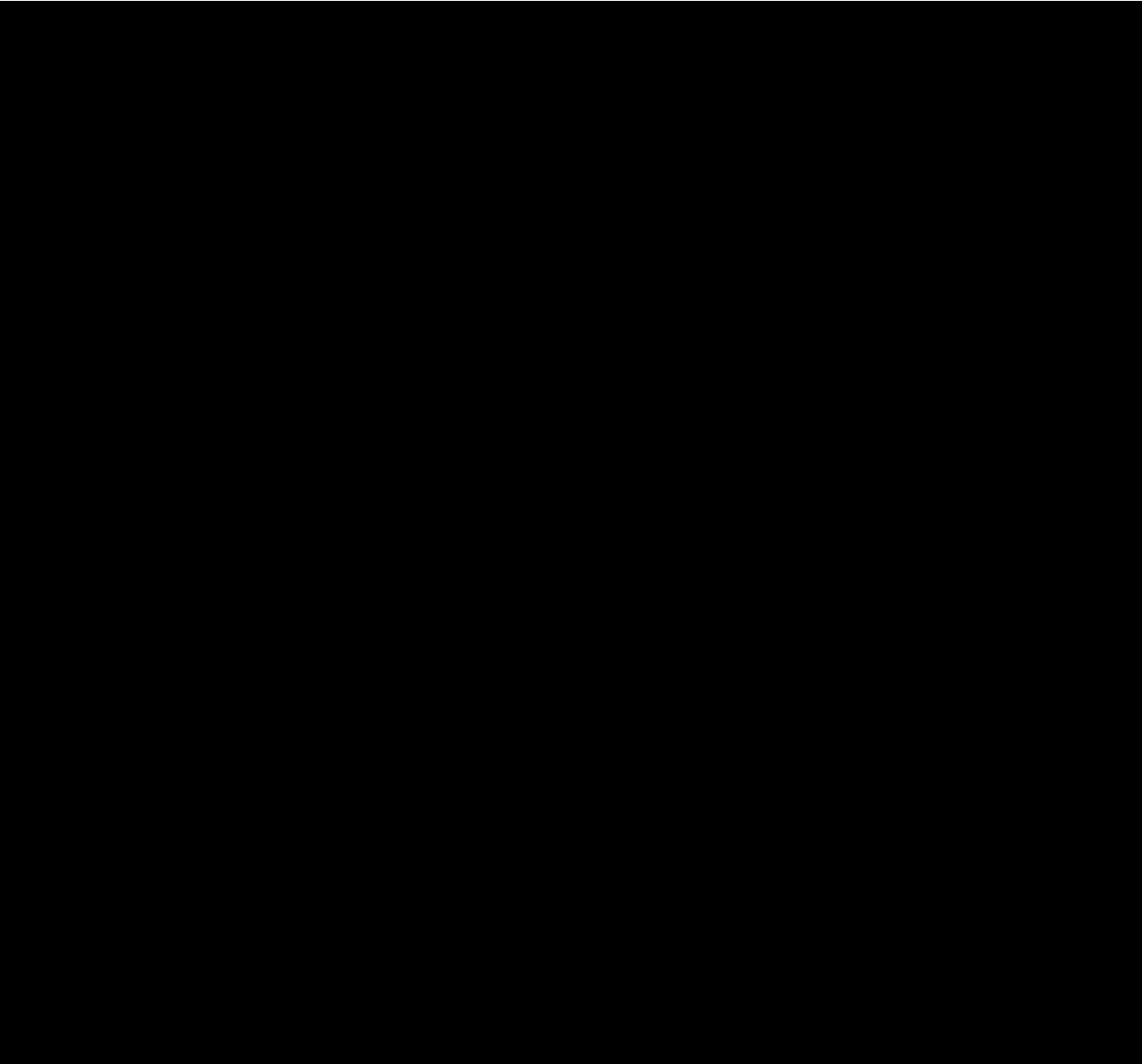
## San Franciscans: Brace yourselves for skyrocketing water and sewer rates, too

Utility revenues were long used to subsidize general city services rather than maintain and upgrade water and wastewater systems. That bill is about to come due

By Peter Drekmeier  
July 9, 2024







**From:** [Don Orozco](#)  
**To:** [Rebecca Eisenberg](#); [Board of Directors](#)  
**Subject:** TOUR and VISIT (We are from the Philippines)  
**Date:** Thursday, July 11, 2024 12:38:52 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. \*\*\***

Ms Rebecca Eisenberg  
Director, Valley Water

Dear Ms Rebacca,

A group of City officials and business owners from Manila, Philippines (15 individuals) are travelling to Silicon Valley, California this October 2024. I have coordinated this with the Philippine Consulate General in San Francisco and I suggested a tour and visit Santa Clara Valley Water. Would you be able to assist and facilitate our group (Around 20 individuals) on our planned visit?

Thanks so much and I hope to hear from your office soon.

Don Orozco  
FVP, Filipino American press Club of California  
CEO, Global Maharlika Foundation, Inc.  
Trustee, The Filipino American Community of Santa Clara County  
Founding Board, Coalition of Filipino American Chamber of Commerce  
Director, Filipino American Chamber of Commerce of Silicon Valley  
Host, Radyo Agila sa Amerika

On Wed, Jul 10, 2024 at 12:07 PM Jean-Marie White via [groups.io](https://groups.io) wrote:

[bcc: Naglee Park CCA]

Hi Barbara,

I watched 3 hours of the long board [meeting](#) yesterday (7/9/24). I mostly caught the public comments that were made (but I was able to catchup by reading the presentation/attachments that were part of the agenda). I also watched every board member's final comments at the end.

I first wanted to say how much I appreciated the way you recognized both sides of the argument. I thought your comments recognized the complexity of the problem and the lack of obvious path forward. I also agree with your comment about status quo is no longer tenable (\*something\* has to be done).

I also think that director Varela's suggestion to delay made sense because I think the ordinance is not fully baked.

Here are my two cents. Based on some fundamental facts and observations:

- Unregulated encampments along our creeks are causing environmental harm and have exposed Water District employees to unsafe working conditions.
- Part of the Water District's responsibilities is to protect waterways and ensure their employees safety
- Housing is not one of those responsibilities
- The responsibility mentioned above are currently made difficult due to the presence of homeless encampments along our creeks
- The Water District doesn't have its own police, but by creating ordinances it can enroll local law enforcement.
- the homelessness situation is a societal failure that causes enormous emotional responses and can make productive discussions very hard to have.

Keeping in mind all those facts, it seems like the Water District is at the mercy of other government bodies for any kind of solution to the challenges directly impacting their responsibilities (clean water, employee safety). Moving unilaterally will cause immense negative PR and political backlash against the Water District. Hearing that status quo is no longer tenable and acceptable to the board of directors, you either have to take drastic measures or, as Jim Beall mentioned, to the extend that Water District can help other local governments with their housing efforts (e.g. providing land), that should be done.

So to me, the tension lies between how much more time does the Water District take to attempt "collaboration" with other local governments, versus, taking more immediate actions that may end up "forcing the hand" of the city and/or county.

While delaying a tough decision for the purpose of a better outcome for the board that would be easier to make, because less controversial, is very appealing, you also have to consider that you may have to ultimate make a decision that will be very disagreeable to some people.

The part that was missing from the plan is:

- relocation should come with an assistance offer along with an adequate destination. Someone made the point that it is unrealistic to expect someone to relocate their shelter and belonging within 72h without any kind of help. I agree with that.
- any type of enforcement should be throttled by alternate location availability. You cannot force someone to relocate without offering some place to go. Doing that seems very cruel and counter-productive since they'll probably just move up/downstream or move into our parks/streets.
- people requiring mental health assistance need to be considered.

The punitive aspect of the ordinance should probably be removed and re-introduced later based on how this current ordinance performs. That would address the “criminalization” argument of the debate.

But all that being said, at some point, and this may be very soon, you may be forced to act unilaterally to execute on your mandate if you don't see enough movement from other local governments. The question would be who pays the political price for the public outcry around the suffering caused to the displaced homeless population. Could the water district deflect the outcry and redirect it to the local governments actually responsible for housing and mental health in order to apply additional pressure to come up with a solution faster?

I love the story of how some government, when faced with an emergency can literally rebuild a bridge in 12 days. (Check out the [story](#) (minute 20:25) of Pennsylvania Gov. Shapiro suspending a bunch of red-tape to ensure that the collapse of an interchange on I-95 got fixed ASAP). I wish more of our leaders had the courage to declare this housing and mental health issue a crisis and address it head-on.

In any case, thanks for reading my thoughts this far. I appreciate all your work you've done on this board for many years.

Thanks again,  
Jean-Marie White

**From:** [Néstor De la O Vargas](#)  
**To:** [Board of Directors](#); [Linh Hoang](#); [Meghan Azralon](#)  
**Cc:** [Aja Yee](#)  
**Subject:** Correction for KCCB Cleanups: 7/27, 8/3, 8/13, 8/17  
**Date:** Thursday, July 11, 2024 6:32:53 PM  
**Attachments:** [240813-Cleanup-FB Post.png](#)  
[240803-Cleanup-IG Post.png](#)  
[240727-Cleanup-IG Post.png](#)  
[240817-Cleanup-IG Post.png](#)  
[240813-Cleanup-IG Post \(1\).png](#)

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

Hello,

I sent an email about KCCB's upcoming cleanups for this month and next month with the wrong links. For future reference on these events, use these links. Thanks for your patience.  
\*\*\*\*\*

**What's In Your Cleanup? - Creek and Trail Cleanup**

**Location: TBD**

**Sat Jul 27th**

**9AM to 12PM**

Join Keep Coyote Creek Beautiful for a community cleanup event. Meet new people; improve a neighborhood park; build community around a shared sense of service.

Free litter kits!

Groups Welcome

Community service hours available.

RSVP: <https://240727-cleanup.eventbrite.com/?aff=vw>

\*\*\*\*\*

**Cleanup...1 is not Enough - Creek and Trail Cleanup**

**Location: TBD**

**Sat Aug 3rd**

**9AM to 12PM**

Join Keep Coyote Creek Beautiful for a community cleanup event. Meet new people; improve a neighborhood park; build community around a shared sense of service.

Free litter kits!

Groups Welcome

Community service hours available.

RSVP: <https://240803-cleanup.eventbrite.com/?aff=vw>

\*\*\*\*\*

**Trashy Tuesdays Cleanup!**

**Location: Tully Ballfields, 880 Tully Road, San Jose, CA 95111**

**Tue Aug 13th**

**5PM to 7PM**

Come join us for Trashy Tuesdays 5-7pm once per month for a fun Creek and Trail Cleanup!

Spend a few hours and help us work together for a healthy creek while we beautify the Coyote Creek trail and the creek through a community cleanup.

Free litter kits!

Community service hours available.

Groups Welcome

RSVP: <https://240813-cleanup.eventbrite.com/?aff=vw>

\*\*\*\*\*

**Watch Out, There Is A Cleanup About! - Creek and Trail Cleanup**

**Location: TBD**

**Sat Aug 17th**

**9AM to 12PM**

Join Keep Coyote Creek Beautiful for a community cleanup event. Meet new people; improve a neighborhood park; build community around a shared sense of service.

Free litter kits!

Groups Welcome

Community service hours available.

RSVP: <https://240817-cleanup.eventbrite.com/?aff=vw>

Sincerely,  
Néstor De la O Vargas  
Event Assistant  
Keep Coyote Creek Beautiful  
408.660.3339  
[KeepCoyoteCreekBeautiful.org](http://KeepCoyoteCreekBeautiful.org)



# COYOTE CREEK CLEANUP

JULY 27TH: 9AM-12PM

# CLEANUP...



AUG 3rd • 9am-12pm

# 1 Is Not Enough

RSVP  
AT



KEEP COYOTE CREEK BEAUTIFUL



WWW.KEEPCOYOTECREEKBEAUTIFUL.ORG



# COYOTE CREEK CLEANUP

AUGUST 3RD: 9AM-12PM



*TRASHY TUESDAY*

**COYOTE CREEK CLEANUP**

**AT TULLY BALLFIELDS**

**AUGUST 13: 5-7PM**

COYOTE CREEK CLEANUP LOCATION PROVIDED AT REGISTRATION

# Watch Out,

THERE IS A CLEANUP ABOUT!

AUG 17TH • 9AM-12PM

COYOTE CREEK & TRAIL CLEANUP



RSVP  
AT



KEEP COYOTE CREEK BEAUTIFUL



WWW.KEEPCOYOTECREEKBEAUTIFUL.ORG



# COYOTE CREEK CLEANUP

AUGUST 17TH: 9AM-12PM

COYOTE CREEK CLEANUP LOCATION PROVIDED AT REGISTRATION



# WHAT'S IN YOUR CLEANUP?



JULY 27TH | 9AM-12PM

RSVP  
AT



KEEP COYOTE CREEK BEAUTIFUL



WWW.KEEPCOYOTECREEKBEAUTIFUL.ORG

**From:** [Rahmat Mozayan](#)  
**To:** [Board of Directors](#)  
**Subject:** Opposing Removal of Funds for Upper Guadalupe Flood Improvements  
**Date:** Thursday, July 11, 2024 8:50:27 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. \*\*\***

Honorable Valley Water Board of Directors,

I am writing to express my concern regarding the proposal to divert \$45 Million in funding allocated for the Upper Guadalupe flood improvements. These improvements along the 5.5 miles from Interstate 280 to Blossom Hill Road are crucial for the safety and well-being of our community.

The dedicated funding for these projects ensures that we can effectively manage flood risks, protect properties, and safeguard the lives of residents in the area. Diverting these funds could jeopardize the progress we have made and delay critical improvements that are necessary for our community's resilience against flooding. I urge you to keep the funding for the Upper Guadalupe intact.

These projects are vital for our community, and any diversion of funds could have serious consequences for our flood management efforts.

Thank you for your attention to this matter and for your continued commitment to the safety and well-being of our community.

Thank you for your consideration.

Sincerely,

Rahmat & Soheila Mozayan

**From:** [Sharon Yang](#)  
**To:** [Board of Directors](#)  
**Subject:** Oppose Removal of Funds for Upper Guadalupe Flood Improvements  
**Date:** Thursday, July 11, 2024 9:51:56 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. \*\*\***

Honorable Valley Water Board of Directors,

I am writing to express my concern regarding the proposal to divert \$45 Million in funding allocated for the Upper Guadalupe flood improvements. These improvements along the 5.5 miles from Interstate 280 to Blossom Hill Road are crucial for the safety and well-being of our community.

The dedicated funding for these projects ensures that we can effectively manage flood risks, protect properties, and safeguard the lives of residents in the area. Diverting these funds could jeopardize the progress we have made and delay critical improvements that are necessary for our community's resilience against flooding. I urge you to keep the funding for the Upper Guadalupe intact.

These projects are vital for our community, and any diversion of funds could have serious consequences for our flood management efforts. Thank you for your attention to this matter and for your continued commitment to the safety and well-being of our community.

Thank you for your consideration.

Best regards,  
Sharon Yang

Cell: [REDACTED]  
Fax: [REDACTED]

**From:** [Santa Clara Valley Water](#)  
**To:** [Clerk of the Board](#)  
**Subject:** SCVWD Agenda Comment Form  
**Date:** Saturday, July 13, 2024 3:08:29 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. \*\*\*

Submitted on Sat, 07/13/2024 - 3:08 PM

Submitted values are:

**Name**

CATHLEEN ELLEN LANGAN

**Address**

[REDACTED]

**Telephone**

[REDACTED]

**Email**

goldenstateservices [REDACTED]

**Agency, Business or Group (if applicable)**

Community Activist

**Board Meeting Date**

2024-07-09

**Agenda Item Number**

1

**I would like to**

No Position--Comment Only

**Comment Form**

Thank you for acknowledging that human beings are part of the ecosystem and that those living in the watershed are valuable and should be protected just like the plants the trees the water and the animals and need to be protected I support the staff and the board members and making decisions the protect the workers who clean up the waterways and do improvements I encourage us all to find peaceful ways of living and working and growing together the beautiful Guadalupe watershed we need to make it hurts to reduce violence and invasions of things that are harmful to the ecosystem and protect those who work diligently to do so

## Adelina Del Real

---

**From:** Candice Kwok-Smith  
**Sent:** Monday, July 15, 2024 11:19 AM  
**To:** Board of Directors  
**Subject:** FW: Unauthorized structure b-w Leigh and Bascom ave.

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Adelina,

Please see the board correspondence below.

Thanks,  
Candice

---

**From:** Hamilton Place Neighborhood Association <membership.hpna@gmail.com>  
**Sent:** Saturday, July 13, 2024 11:45 PM  
**To:** Candice Kwok-Smith <ckwok-smith@valleywater.org>  
**Subject:** Fwd: Unauthorized structure b-w Leigh and Bascom ave.

\*\*\* 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. \*\*\*

Hi Candice,

Please help us in Barabara's absence in authorizing and approving structure abatement by Mark and Jennifer's team. They were able to last year when an individual was caught laying concrete and building a foundation for a home.

We believe the same individual is at it again as you can see from the attached photos.

----- Forwarded message -----

**From:** Hamilton Place Neighborhood Association <[membership.hpna@gmail.com](mailto:membership.hpna@gmail.com)>  
**Date:** Sat, Jul 13, 2024 at 11:25 PM  
**Subject:** Re: Unauthorized structure b-w Leigh and Bascom ave.  
**To:** <[jcodianne@valleywater.org](mailto:jcodianne@valleywater.org)>, <[mayor@sanjoseca.gov](mailto:mayor@sanjoseca.gov)>  
**CC:** Barbara Keegan <[bkeegan@valleywater.org](mailto:bkeegan@valleywater.org)>, Mark Bilski <[MBilski@valleywater.org](mailto:MBilski@valleywater.org)>, Quevedo, Matthew <[Matthew.Quevedo@sanjoseca.gov](mailto:Matthew.Quevedo@sanjoseca.gov)>, Rick Callender <[rcallender@valleywater.org](mailto:rcallender@valleywater.org)>

Dear Mayor Matt Mahan,

Our community has been extremely supportive of increased budget for housing the homeless, Mobile mental health programs like Trust. We, however, cannot support unauthorized and illegal construction of homes on PUBLIC property and water resources that belongs to all the people of San Jose.

We request that your office works with valley water (Mark Bilski) to help support the abatement and offer of housing resources to this individual.

Please note the reference number for the 311 app: 240713-001160.

How can we get this issue escalated to code enforcement and the captain for our location ASAP?

Thanks,  
Sam  
President of Hamilton Place Neighborhood Association

On Sat, Jul 13, 2024 at 11:09 PM Hamilton Place Neighborhood Association <[membership.hpna@gmail.com](mailto:membership.hpna@gmail.com)> wrote:

Hi Mark and Matthew,

Post-cleanup on Los gators creek trail between Leigh and bascom ave. we have unfortunately noticed a brand new A-frame structure and insulation being installed on the land to the immediate left of the road.

This is a building with (4-walls and roof structure with laid foundation). Last year you were able to remove someone for laying concrete next to the river bed.

I have cc'd the mayors office to see how we can coordinate a response with SJPD. There is a very real threat of fire in a structure that is not up to code. This is the privatization of public property that belongs to everyone.





Thanks,  
Sam

**From:** [Candice Kwok-Smith](#)  
**To:** [Board of Directors](#)  
**Subject:** FW: Unauthorized Shanty Structure (Los Gatos Creek Trail b/w Leigh and Bascom Ave.)  
**Date:** Monday, July 15, 2024 11:19:26 AM

---

Hi Adelina,

Please see the board correspondence below.

Thanks,  
Candice

---

**From:** Sam Lum [REDACTED]  
**Sent:** Sunday, July 14, 2024 7:35 AM  
**To:** Mark Bilski <MBilski@valleywater.org>; Matthew.Quevedo@sanjoseca.gov; Saavedra, Joshua <Joshua.Saavedra@sanjoseca.gov>  
**Cc:** Park Concerns <Park.concerns@sanjoseca.gov>; CodeEnforcementInformation@sanjoseca.gov; Jennifer Codianne <JCodianne@valleywater.org>; Rick Callender <rcallender@valleywater.org>; Candice Kwok-Smith <ckwok-smith@valleywater.org>; Barbara Keegan <BKeegan@valleywater.org>  
**Subject:** Unauthorized Shanty Structure (Los Gatos Creek Trail b/w Leigh and Bascom Ave.)

**\*\*\* 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 Matt Mahan and Valley Water Operations team,

My name is Sam from Hamilton Place Neighborhood Association, and I am writing to thank you for partnering with our community to address the issue of an unauthorized structure being built on Valley Water land next to **Los Gatos Creek Trail** between **Leigh and Bascom Ave.**

**PLEASE REFER TO 311 APP case: 240713-001160.**

We are asking that Valley Water and the City of San Jose work together with the Western Division Captain, Valley Water's Maintenance Staff and San Jose code enforcement to abate this illegal structure. San Jose Parks and Recreation currently has a 3<sup>rd</sup> party contractor with bobcats out here performing trail maintenance and tree trimming. This should be enough reason for you to take decisive action to remove the structure.

We thank Valley Water staff for their clean up efforts but the costs of maintaining this trail and increased liability is escalating. Providing homeless services directly on the Los Gatos Creek trail is not a sustainable way to provide resources.

Thank you,  
Sam  
Hamilton Place Neighborhood Association



**From:** [Candice Kwok-Smith](#)  
**To:** [Board of Directors](#)  
**Subject:** FW: Homeless encampment building permanent structure on Los Gatos Creek Trail  
**Date:** Monday, July 15, 2024 11:19:46 AM

---

Hi Adelina,

Please see the board correspondence below.

Thanks,  
Candice

---

**From:** Anne Deschenes <annede[REDACTED]>  
**Sent:** Sunday, July 14, 2024 11:21 AM  
**To:** Mark Bilski <MBilski@valleywater.org>; Joshua.Saavedra@sanjoseca.gov;  
Matthew.Quevedo@sanjoseca.gov  
**Cc:** mayor@sanjoseca.gov; Code.enforcementinformation@sanjoseca.gov;  
Park.concerns@sanjoseca.gov; Jennifer Codianne <JCodianne@valleywater.org>; Rick Callender  
<rcallender@valleywater.org>; Barbara Keegan <BKeegan@valleywater.org>; Candice Kwok-Smith  
<ckwok-smith@valleywater.org>; dev.davis@sanjoseca.gov  
**Subject:** Homeless encampment building permanent structure on Los Gatos Creek Trail

**\*\*\* 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 Matt Mahan and Valley Water Operations team,  
My name is Anne Deschenes from Hamilton Place Neighborhood Association, and I am writing to thank you for partnering with our community to address the issue of an unauthorized structure being built on Valley Water land next to **Los Gatos Creek Trail** between **Leigh and Bascom Ave.**

**PLEASE REFER TO 311 APP case: 240713-001160.**

We are asking that Valley Water and the City of San Jose work together with the Western Division Captain, Valley Water's Maintenance Staff and San Jose code enforcement to abate this illegal structure. San Jose Parks and Recreation currently has a 3<sup>rd</sup> party contractor with bobcats out here performing trail maintenance and tree trimming. This should be enough reason for you to take decisive action to remove the structure.

We thank Valley Water staff for their clean up efforts but the costs of maintaining this trail and increased liability is escalating. Providing homeless services directly on the Los Gatos Creek trail is not a sustainable way to provide resources.

Thank you,

**Anne Deschenes**

, San Jose, CA 95125

Hamilton Place Neighborhood Association

**From:** [Candice Kwok-Smith](#)  
**To:** [Board of Directors](#)  
**Subject:** FW: 311 APP Case 240713-001160  
**Date:** Monday, July 15, 2024 11:20:00 AM

---

Hi Adelina,

Please see the board correspondence below.

Thanks,  
Candice

---

**From:** Diane Devlin <diane.devlin [REDACTED]>  
**Sent:** Sunday, July 14, 2024 2:35 PM  
**To:** Mark Bilski <MBilski@valleywater.org>; Matthew.Quevedo@sanjoseca.gov;  
Joshua.Saavedra@sanjoseca.gov  
**Cc:** mayor@sanjoseca.gov; CodeEnforcementInformation@sanjoseca.gov;  
Park.concerns@sanjoseca.gov; Jennifer Codianne <JCodianne@valleywater.org>; Rick Callender  
<rcallender@valleywater.org>; Barbara Keegan <BKeegan@valleywater.org>; Candice Kwok-Smith  
<ckwok-smith@valleywater.org>  
**Subject:** 311 APP Case 240713-001160

**\*\*\* 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 Matt Mahan and Valley Water Operations team,  
My name is Diane Devlin from Hamilton Place Neighborhood Association, and I am writing to thank you for partnering with our community to address the issue of an unauthorized structure being built on Valley Water land next to **Los Gatos Creek Trail** between **Leigh and Bascom Ave.**

We are asking that Valley Water and the City of San Jose work together with the Western Division Captain, Valley Water's Maintenance Staff and San Jose code enforcement to abate this illegal structure. San Jose Parks and Recreation currently has a 3<sup>rd</sup> party contractor with bobcats out here performing trail maintenance and tree trimming. This should be enough reason for you to take decisive action to remove the structure.

We thank Valley Water staff for their clean up efforts but the costs of maintaining this trail and increased liability is escalating. Providing homeless services directly on the Los Gatos Creek trail is not a sustainable way to provide resources.

Thank you,  
**Diane Devlin**



\_\_\_\_\_

Thanks!

Samuel Lum

E: [REDACTED]

T: [REDACTED]

**From:** [Candice Kwok-Smith](#)  
**To:** [Board of Directors](#)  
**Subject:** FW: Homeless encampment building permanent structure on Los Gatos Creek Trail  
**Date:** Monday, July 15, 2024 11:19:46 AM

---

Hi Adelina,

Please see the board correspondence below.

Thanks,  
Candice

---

**From:** Anne Deschenes <annede[REDACTED]>  
**Sent:** Sunday, July 14, 2024 11:21 AM  
**To:** Mark Bilski <MBilski@valleywater.org>; Joshua.Saavedra@sanjoseca.gov;  
Matthew.Quevedo@sanjoseca.gov  
**Cc:** mayor@sanjoseca.gov; Code.enforcementinformation@sanjoseca.gov;  
Park.concerns@sanjoseca.gov; Jennifer Codianne <JCodianne@valleywater.org>; Rick Callender  
<rcallender@valleywater.org>; Barbara Keegan <BKeegan@valleywater.org>; Candice Kwok-Smith  
<ckwok-smith@valleywater.org>; dev.davis@sanjoseca.gov  
**Subject:** Homeless encampment building permanent structure on Los Gatos Creek Trail

**\*\*\* 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 Matt Mahan and Valley Water Operations team,  
My name is Anne Deschenes from Hamilton Place Neighborhood Association, and I am writing to thank you for partnering with our community to address the issue of an unauthorized structure being built on Valley Water land next to **Los Gatos Creek Trail** between **Leigh and Bascom Ave.**

**PLEASE REFER TO 311 APP case: 240713-001160.**

We are asking that Valley Water and the City of San Jose work together with the Western Division Captain, Valley Water's Maintenance Staff and San Jose code enforcement to abate this illegal structure. San Jose Parks and Recreation currently has a 3<sup>rd</sup> party contractor with bobcats out here performing trail maintenance and tree trimming. This should be enough reason for you to take decisive action to remove the structure.

We thank Valley Water staff for their clean up efforts but the costs of maintaining this trail and increased liability is escalating. Providing homeless services directly on the Los Gatos Creek trail is not a sustainable way to provide resources.

Thank you,

**Anne Deschenes**

██████████ San Jose, CA 95125

Hamilton Place Neighborhood Association

**From:** [Candice Kwok-Smith](#)  
**To:** [Board of Directors](#)  
**Subject:** FW: 311 APP Case 240713-001160  
**Date:** Monday, July 15, 2024 11:20:00 AM

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Hi Adelina,

Please see the board correspondence below.

Thanks,  
Candice

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**From:** Diane Devlin [REDACTED]  
**Sent:** Sunday, July 14, 2024 2:35 PM  
**To:** Mark Bilski <MBilski@valleywater.org>; Matthew.Quevedo@sanjoseca.gov;  
Joshua.Saavedra@sanjoseca.gov  
**Cc:** mayor@sanjoseca.gov; CodeEnforcementInformation@sanjoseca.gov;  
Park.concerns@sanjoseca.gov; Jennifer Codianne <JCodianne@valleywater.org>; Rick Callender  
<rcallender@valleywater.org>; Barbara Keegan <BKeegan@valleywater.org>; Candice Kwok-Smith  
<ckwok-smith@valleywater.org>  
**Subject:** 311 APP Case 240713-001160

**\*\*\* 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 Matt Mahan and Valley Water Operations team,  
My name is Diane Devlin from Hamilton Place Neighborhood Association, and I am writing to thank you for partnering with our community to address the issue of an unauthorized structure being built on Valley Water land next to **Los Gatos Creek Trail** between **Leigh and Bascom Ave.**

We are asking that Valley Water and the City of San Jose work together with the Western Division Captain, Valley Water's Maintenance Staff and San Jose code enforcement to abate this illegal structure. San Jose Parks and Recreation currently has a 3<sup>rd</sup> party contractor with bobcats out here performing trail maintenance and tree trimming. This should be enough reason for you to take decisive action to remove the structure.

We thank Valley Water staff for their clean up efforts but the costs of maintaining this trail and increased liability is escalating. Providing homeless services directly on the Los Gatos Creek trail is not a sustainable way to provide resources.

Thank you,  
**Diane Devlin**



**From:** [Candice Kwok-Smith](#) on behalf of [Board Correspondence](#)  
**To:** [Board of Directors](#)  
**Subject:** FW: Funding for Willow/Lelong in jeopardy?  
**Date:** Monday, July 15, 2024 11:59:47 AM

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Good afternoon,

Please see the board correspondence below.

Thanks,  
Candice

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**From:** Barbara Keegan <BKeegan@valleywater.org>  
**Sent:** Thursday, July 11, 2024 8:45 PM  
**To:** Sali Schille [REDACTED]  
**Cc:** Board Correspondence <boardcorrespondence@valleywater.org>  
**Subject:** Re: Funding for Willow/Lelong in jeopardy?

Dear Ms. Schille,

Thank you for contacting me regarding the proposed reduction in funding for the Upper Guadalupe project. As you may already be aware, Directors Beall, Eisenberg and I all voted against setting a public hearing to approve reducing the funding.

Moving funds depending on the timing of projects is not an unusual circumstance. However the funding for Upper Guadalupe was included in the Renewed Safe Clean Water and Natural Flood Protection ballot measure that required voter approval. This proposed reduction in budget does not meet the funding commitment that was made to the voters. Additionally the language in the staff report stated that the Upper Guadalupe project could still be awarded in 2028 despite a proposed budget reduction of approximately \$45.5 million. I asked staff several times for an explanation of how a complete project could be awarded given the limited amount of budget remaining; I did not receive a response that satisfactorily addressed my concerns.

I will have our staff follow up with you to advise you of the meeting date when the budget change will be formally considered. I would encourage you and your neighborhood to weigh in on this proposal given the impact of the proposed budget decrease on a critical flood protection project. Upper Guadalupe will protect approximately 6300 homes, and ten schools and institutions in our community. This project needs to be delivered consistent with the commitment that was made to the public.

Thank you again for contacting me.

Best regards,  
Director Barbara Keegan  
Valley Water, District 2

Sent from my iPad

On Jul 9, 2024, at 10:27 AM, Sali Schille <[REDACTED]> wrote:

**\*\*\* 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. \*\*\***

Honorable Ms Keegan,

I hope this message finds you well.

Just two weeks ago, approximately 25 neighbors took time out of their busy schedules to attend the last board meeting. They expressed their concerns that city-sanctioned encampments on the Lelong/Willow lots are not a viable solution. In fact, many argued that such encampments are not a solution at all.

Today, I heard a troubling rumor that this board is considering redirecting funding for flooding improvements away from the Guadalupe project and the Lelong lot. Is this true?

If so, I urge you to vote on the right side of history and leave a legacy that reflects thoughtful and effective leadership. Would you openly support the redirection of these funds? This issue impacts the entire Bay Area. San Jose is at the forefront of this because of its size. At the heart of Silicon Valley, San Jose can and must do better than the short-term solutions currently proposed by the Mayor. Our neighbors, the homeless, and the residents and voters in your district understand this. Just yesterday, a neighbor reminded me of the dangers the homeless face on concrete surfaces when temperatures soar to 100°F, as they did a few days ago. Concrete in direct sunlight can reach temperatures of 135°F.

We strongly believe that diverting funds away from the Guadalupe project will only further delay the much-needed renovations that we have awaited for 15 years.

Please reject this proposal and stand with the neighbors who have been urging you to take a principled stance.

Sincerely,

Sali Schille

[REDACTED]

**From:** [Thunder Parley](#)  
**To:** [District4](#); [beautifysj](#); [Flores Shelton, Andrea](#); [vtabart@vtabsv.com](mailto:vtabart@vtabsv.com); [Rick Callender](#); [Michele King](#); [Board of Directors](#)  
**Subject:** Re: Safety Issue & Re-encampment of fire abated area near Salamoni & Berryessa BART  
**Date:** Tuesday, July 16, 2024 2:27:29 PM

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ESCALATION: My SO was out walking and one of the encampers started circling her on a bike yelling "this is her". She retreated to the BART parking lot at Berryessa and he continued to stalk her onto Salamoni as the other encamper met up with him and they paced her. She smartly kept walking randomly around the area until she could make a clean break to our house out of their sight.

### **WHY ARE THESE TRESPASSING ENCAMPERS ALLOWED TO LIVE ABOVE THE LAW AND CONTINUE TO PRESENT A SAFETY ISSUE TO RESIDENTS?**

**This is clearly stalking.** [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=646.9.&lawCode=PEN](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=646.9.&lawCode=PEN)

On Mon, Jul 15, 2024 at 12:54 PM Thunder Parley [REDACTED] > wrote:

Escalating since I am sick of the back and forth over who owns this area (and the non-responsiveness) and keeping the massive fire and safety hazard abated next to the VTA BART trail in what appears to be Valley Water area.

Screenshot of map attached.

Google Maps Link: <https://maps.app.goo.gl/tC44PXJz6qcB2Pr98>

ESCALATE: I just came back from a neighborhood walk. To check on the situation. The 2 individuals started yelling at me from the woods between Penitencia Creek & the trail, while I remained on the trail, I politely told them they are not allowed to be there. it is an abated area and no trespassing. They said well "there's no f-ing signs". I said well I'm sure they'll be back up soon. As I peacefully walked away with my lady I was verbally insulted as well as some other hard to hear threats about if I come back.

My lady is now scared to walk the trail for her daily mental health walk.

I want this gross pollution, fire and safety hazard to be RE-abated today.

We were promised that this would be kept clear as posted (also attached).

I look forward to being able to walk the BART/VTA/SJ/ValleyWater trail without threats and harassment from trespassers. Permanent signage should be added as well so that SJPD is able to properly respond to trespassing calls.

Thank you!

Thunder Parley

On Mon, Jul 15, 2024 at 10:39 AM Thunder Parley [REDACTED] > wrote:  
ESCALATE: I am getting reports from females of 2 creepy dudes staring them down from this location. A structure built with screen doors, a flatscreen tv and a propane tank. Given the proximity to the creak and fire hazard to the community, I request this be re-abated as posted immediately.

Thank you!

Thunder

On Tue, Jun 25, 2024 at 10:23 AM Thunder Parley [REDACTED] > wrote:  
See attached photo. It is a couple years into the woods on the trail side of the creek.

This area near our community was previously abated, there is a new (green) tent, disguised with large palm fronds in this very fire prone area.

Given the recent heat wave, proximity to houses and fire history at this location I would like us to immediately re-abate this as was posted (trespassing).

I would also consider it a security issue for the many local residents and BART passengers that use this trail.

Thank you!

Thunder Parley

**From:** [Michele King](#)  
**To:** [Board of Directors](#)  
**Subject:** FW: Valley Water district meeting with Holiday Lake Estates  
**Date:** Tuesday, July 16, 2024 8:50:59 AM

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Hi Adelina,  
Please assign below correspondence to Chris/Jennifer Codianne.  
Thanks,  
Michele

**From:** Anthony Vizzusi <[REDACTED]>  
**Date:** July 15, 2024 at 11:13:41 AM PDT  
**To:** John Varela <[jvarela@valleywater.org](mailto:jvarela@valleywater.org)>  
**Subject:** **Valley Water district meeting with Holiday Lake Estates**

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Sent from my iPhone

Hi John

I would like to know what the status of the weed cleaning around the Valley Water District staging area ( old marina) inside Holiday Lake Estates. The Valley Water District supervisor stated during the meeting she was going to contact maintenance to clear out the weeds in that area to help with fire protection. As a pass board member of HLE I know the importance of maintaining the area for fire protection. During the meeting you mentioned to please contact you with our concerns. Thanks Tony

# **OUTGOING BOARD CORRESPONDENCE**

**From:** [Michele King](#)  
**To:** [Board of Directors](#)  
**Subject:** FW: [Nagleepark-CCA] Feedback on Water District board meeting from yesterday  
**Date:** Thursday, July 11, 2024 3:17:44 PM

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**From:** Barbara Keegan <[BKeegan@valleywater.org](mailto:BKeegan@valleywater.org)>  
**Sent:** Wednesday, July 10, 2024 5:21 PM  
**To:** Jeffrey Hare <[jeffrey.hare](mailto:jeffrey.hare)>  
**Cc:** [jmwhite70](mailto:jmwhite70); Shiloh Ballard <[shiloh@shilohballard.com](mailto:shiloh@shilohballard.com)>; Board Correspondence <[boardcorrespondence@valleywater.org](mailto:boardcorrespondence@valleywater.org)>  
**Subject:** Re: [Nagleepark-CCA] Feedback on Water District board meeting from yesterday

Hi Jeff,

I'm not copying the other electeds on this email because I want to have a direct discussion with constituents.

Interesting analysis. If water quality was the only parameter and our sole objective was to address the State Water Quality Board's regulations then the solution would seem very straightforward. If we include the human/societal aspects, I think we would have to reach a different conclusion.

I estimate over 90% of the email that I receive is about the unhoused. And while the communications do discuss water quality issues, the primary emphasis is on impacts adjacent to the encampments. For example noise, fire risk, increased crime and safety concerns about using trails. Along with these issues, people do bring up concerns regarding the very difficult circumstances that people living in the creek experience. It is not a pleasant experience to live without the normal necessities of life that most of us take for granted. And of course the unhoused are frequently victims of crime.

Valley Water experiences a lot of additional costs due to the encampments. The damage that is done to the creek channels needs to be repaired so the creeks can convey water properly. Encampments damage our riparian mitigation sites. That means we don't have available lands to mitigate our stream maintenance program as well as mitigate our Capital Improvement Projects. If we have to redo mitigation sites, it means spending more money (and it is significant money) as well as causing project delays. And we are seeing huge project cost increases due to delays.

And as a side issue, our employees are entitled to have a safe work place. Many of our employees, from a variety of professions, are required to go out in the field. Some of these people, like engineers and biologists, have desk jobs but they need to be in the creek areas on a periodic basis. They are being harassed and threatened on an ever increasing basis and they are becoming more and more fearful. It's now problematic to send out employees on their own and they need to be with another employee or employees just to perform their job.

So there are additional costs attributable to unhoused encampments though it's challenging to quantify. And the public thinks it's inhumane to have people living in makeshift and unsanitary shelters. I saw the demolition at Willow and Lelong and it was horrible to think that people were living in such blighted circumstances.

While in stream capture of contaminants and/or waste reduction at the source can be fairly quickly implemented, it will not address the increased costs Valley Water is incurring due to encampments. Nor will it deal with the humanitarian issues or the public dissatisfaction with the adverse impacts that they see adjacent to our creeks and trails.

It would be interesting to see what conclusions your students would come up with from analyzing the additional costs (financial/environmental/societal) associated with unhoused encampments. The expense of rectifying the problems might be justified given the high cost of inaction.

Always good hearing from you.  
Best regards,  
Barbara Keegan

Sent from my iPad

On Jul 10, 2024, at 3:22 PM, Jeffrey Hare <[jeffrey.hare@valleywater.org](mailto:jeffrey.hare@valleywater.org)> wrote:

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For my Policy Analysis Class in Spring 2024, I had the class evaluate the whole situation faced by Valley Water in terms of compliance with the requirements of the State Water Board's permit regulations -- which is what is driving this current debate. The threat of serious fines and penalties for noncompliance can be substantial, not to mention can cascade into other regulatory problems. That is, unless the recent Supreme Court decision tossing the 40-year old *Chevron* doctrine completely eviscerates the ability of any agency's efforts to enforce the Clean Water Act.

Basically, the premise of the issue is that the Water District is responsible for compliance with clean water regulations on lands and water owned by the District, which works out to approximately 295 miles of the approximately 800 miles of creeks and rivers in our valley. The City of San Jose is similarly tasked to comply with the creeks and streams in their jurisdiction. NOTE: Although Valley Water has "invited" all 15 municipal agencies to participate in the October conference, the fact is that the contamination from encampments and illegal dumping (both from "campers" and members of the general public) is largely confined to creeks and rivers within the City of San Jose. It has been

estimated that 88 - 90 percent (88 - 90%) of the contamination in the creeks comes from the encampments. Hence, the focus on this particular source, as compared to other possible sources (i.e., storm drain runoff, industrial waste, etc.).

After reviewing a considerable amount of materials, reports, studies, etc., they identified four alternative "solutions," and evaluated each on the basis of the following criteria: (1) Cost, (2) Effectiveness; (3) Political feasibility; and (4) Time - would the alternative achieve compliance by the June 2025 deadline. The Scoring (which was debated and a well-informed consensus reached) was as follows:

Best approach: Direct water quality measures, such as in-stream capture of contaminants. This would include trash, debris, and other objects.  
Second Best: Increased trash abatement in and around the encampments, on and near the banks. (At present, the District only conducts a couple of these per year due to staffing and concerns over safety of personnel.)  
Third best: Relocation of the encampments. This was actually a distant third, due to the lack of availability of relocation sites, and was the most expensive.  
Fourth place: Ordinance or other Regulatory Approach: This alternative was viewed as the LEAST effective of the options, and the most politically challenging. CERTAINLY, YESTERDAY'S HEARING bore this fact out.

One of my goals this summer was to await the decision by the Supreme Court in the Grants Pass case, so I could attempt to summarize my students' findings and incorporate an update on the Court's ruling. It is noteworthy that of the four alternatives, the one with the least cost was the in-stream water quality approach.

As a further note, with all the discussion about the lack of space and lack of alternative housing or shelters, the Water District is going to have to spend an ADDITIONAL \$162 MILLION -- just to install the "self-rising" flood wall around William Street and Olinder Parks. And that ESTIMATE is before any environmental review has been conducted for that proposal. This is forcing the Water District to divert funds from other Measure S projects, and we have yet to see any example of where this proposed "passive barrier" or "self-rising, water-activated" system is in place and has been tested. Yet, despite this, the proposed alternative housing site at Cherry Avenue (just north of Highway 85) sits after over a year without any noticeable progress, and the proposed alternative "safe camping" site at Delong and Willow is being feverishly opposed by the local residents. One has to wonder what would be the best use of the next \$162 Million in taxpayer money at this point.

Jeff on Arroyo Way

[JeffreyHare](#)