



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

December 06, 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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3	CEO Bulletin: 12/5/24
	<u>BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS</u>
	BMR/IBMR Weekly Reports: None
	<u>INCOMING BOARD CORRESPONDENCE</u>
8	Board Correspondence Weekly Report: 12/6/24
10	Email from Christina Correa to the board dated 11/30/24, seeking information regarding the abatement of encampments on Lake Almaden. C-24-0280
16	Email from Britney Huelbig, Deputy Manager-Superior Court of California to the board, dated 12/02/24, sharing the recruitment for the 2025-26 Civil Grand Jury. C-24-0281
	<u>OUTGOING BOARD CORRESPONDENCE</u>
28	Email from Director Santos to Cathleen Langan, dated 12/02/24, responding to their email in which they requested immediate rehousing funding.
30	Email from Liang Xu, Hydrology, Hydraulics, & Geomorphology Manager, to John B. Hernandez, responding to their recent email in which they requested additional documentation on how flood insurance requirement was assigned to their property.
38	Email from Director Santos to Yong Hwa Kim, informing them that the Safe, Clean Water special parcel tax has been removed from their property tax bill.

CEO BULLETIN

CEO BULLETIN



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

Weeks of November 22, 2024 – December 5, 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
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<u>5</u>	<u>Beall</u> How many properties in District 4 are in the FEMA Special Flood Hazard Area, also referred to as the flood zone? IBMR-24-0018
<u>6</u>	<u>Beall</u> Place every water conservation workshop that we offer to residents on Director Beall's calendar IBMR-24-0019

1. Headcount Freeze Status

At the October 8, 2024, Board Meeting, Director Keegan asked for a status on the headcount freeze. Valley Water staff responded by incorporating a discussion of the headcount freeze into the Overview of the Fiscal Year (FY) 2025-26 Rolling Biennial Budget agenda item scheduled for the November 26, 2024, Board Meeting. That discussion included background information; results of the headcount freeze so far; and assumptions going forward. In short, the headcount freeze has resulted in the strategic realignment of many labor resources from lower priority to higher priority uses, as well as efficiency improvements across many areas to continue to operate with less. Fifty positions remain frozen currently, and Valley Water anticipates approximately \$51 million in savings District-wide through FY 31 from the effort.

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

2. Recurring Report on Personnel Vacancies

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

Human Resources has been providing a monthly report on staffing levels and vacancies per the Board's request. As a result of budget challenges, Valley Water initiated a hiring freeze. We have been working on a process to accurately address the vacancy that includes all positions including those that have been frozen. The following is the information effective October 31, 2024.

Valley Water Staffing Levels:

871 - Total Unfrozen Positions
826 - Number of positions filled
45 - Unfrozen vacant codes
5% - Vacancy Factor
3 - Separations in October

Note: The agency had 921 positions and 50 are frozen.

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

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

3. Safe, Clean Water Mini-Grant Closeout: Green Foothills Foundation, DBA Green Foothills' Healing in Nature Project

In Fiscal Year 2024, Valley Water awarded Green Foothills Foundation, DBA Green Foothills, a \$5,000 Safe, Clean Water Program F9 Mini-Grant for their Healing in Nature Project (Project). Green Foothills completed the Project on August 4, 2024, and submitted the final invoice items on August 6, 2024, allowing for grant closeout.

Green Foothills Foundation, DBA Green Foothills, is a 501(c)3 environmental nonprofit organization focused on protecting open spaces, natural resources, and farmland in Santa Clara, San Mateo, and San Benito Counties. The grant funds supported one environmental outing for participants in Santa Clara County to explore the Coyote Valley Open Space Preserve in Morgan Hill and engage in meaningful discussions surrounding nature and health. Grantee developed a program agenda that offered both educational and healing experiences focused on watershed health and stewardship. Three ecological docents and two culture bearers led the discussions about the history of the area, the native flora and fauna, and how climate change affected biodiversity.

Key Outcomes:

- Hosted one environmental outing in the Coyote Valley Open Space Preserve that engaged 20 participants from Santa Clara County.
- Conducted a post-event survey to capture attendee demographics and feedback.
 - 100% of attendees learned something new about watershed health and environmental stewardship.
 - 100% of attendees were inspired to be more involved in environmental conservation.
- Recruited three ecological docents and two culture bearers to lead participants on a guided nature walk while engaging in discussions about environmental stewardship.

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

4. Valley Water's public meeting on the Palo Alto Flood Basin Tide Gate Seismic Retrofit and Rehabilitation Project

On November 20, 2024, Valley Water held a public meeting to present and gather feedback on the Palo Alto Flood Basin Tide Gate Seismic Retrofit and Rehabilitation Project. The hybrid event was held at the Mitchell Park Community Center and attracted a total of 33 public participants, with 15 people in attendance and 18 people joining remotely via Zoom. Among the in-person audience was City of Palo Alto Councilmember Lydia Kou, three Palo Alto Parks and Recreation commissioners, and Palo Alto city staff.

Valley Water communications staff provided opening and closing remarks. The presentation covered a project overview, scope of work and was followed by a Question-and-Answer session, where Valley Water engaged with community members.

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

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

5. Beall

How many properties in District 4 are in the FEMA Special Flood Hazard Area, also referred to as the flood zone?

IBMR-24-0018

During a recent briefing with Director Beall, he asked how many residential and commercial properties are in the Federal Emergency Management Agency (FEMA) Special Flood Hazard Area, also referred to as the flood zone, in District 4. After researching Valley Water's parcel files, it was determined that District 4 has 131 commercial and 1588 residential properties in the FEMA Special Flood Hazard Area.

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

6. Beall

Place every water conservation workshop that we offer to residents on Director Beall's calendar

IBMR-24-0019

Valley Water utilized the Safe, Clean Water Program funding to offer virtual webinars focused on various outdoor water efficiency topics monthly from July 2022 to May 2023. The pilot included live language interpretation services to extend access to non-English speakers, specifically in Spanish, Vietnamese, and Mandarin. Due to the success of the pilot, Valley Water has recently entered into a contract with G3 Green Gardeners Group to offer the webinar series on an ongoing basis. A list of the pilot and current webinar series can be found below, and recordings can be viewed on Valley Water's YouTube channel.

- Sheet Mulching - 4/21/2022
- Programming Irrigation Controllers - 5/24/2022
- Tree Care in Drought - 6/14/2022
- Graywater - 8/18/2022
- Garden Design - 9/15/2022
- Drip Irrigation - 10/13/2022

Weeks of November 22, 2024-December 5, 2024

- Indoor Conservation - 2/23/2023
- Irrigation Scheduling and Maintenance - 4/13/2023
- Rainwater Catchment - 5/18/2023
- Watershed Wise Landscaping - 10/17/2024
- Rainwater Capture - 11/21/2024

The new series launched in October 2024 with two fall webinars and will continue in Spring 2025. Upcoming webinars will be posted on the G3 event website: <http://www.greengardensgroup.com/santa-clara-valley-water-district> and Valley Water will provide all water conservation webinars and training to the Board Scheduler for Director Beall. The November 21, 2024, Rainwater Capture was added to Director Beall's calendar, and he was able to attend. The new series will include about 6-8 webinars per year.

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

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-24-0271	11/21/24	11/21/24	All	TIFFANY HOWARD	Email from Tiffany Howard to the board, dated 11/21/24, reporting digging of trenches behind Patelco on Cherry and asking someone to come out and address the matter.	Refer to Staff	Hakes	Codianne	11/29/24	12/02/24	n/a	12/05/24
C-24-0280	11/30/24	12/02/24	All	CHRISTINA CORREA	Email from Christina Correa to the Board, dated 11/20/24, asking follow up questions about the encampment at Almaden lake, Sanchez Ave area.	Refer to Staff	Hakes	Bilski Codianne	12/10/24	-	n/a	12/16/24
C-24-0282	12/05/24	12/05/24	Cc: Eisenberg	SHARON ROOT	Email from Sharon Root to Director Eisenberg (copied to the board), dated 12/05/24, expressing their thoughts about her position on	Refer to Staff	Hakes	Bilski Codianne	12/13/24	-	n/a	12/19/24

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
					the Water Resources Protection Zones Ordinance.							

Board of Directors

From: christina correa [REDACTED]
Sent: Saturday, November 30, 2024 9:05 AM
To: Board of Directors
Subject: Re: Almaden Lake

Follow Up Flag: Follow up
Flag Status: Flagged

*** 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'm following up on the encampment that is at Almaden lake, Sanchez Ave area.

I read an article today that this is going to be cleared out. Can you confirm this?

What is the time frame regarding this?

Also, are the tiny homes still going to be build in that area ?

Thank you ,

Christina Correa

[Sent from AT&T Yahoo Mail for iPhone](#)

On Wednesday, June 28, 2023, 7:44 AM, Board of Directors <board@valleywater.org> wrote:

Sent on Behalf of Director Beall:

Dear Christina Correa,

Thank you for reaching out to Valley Water to share your concerns regarding encampments along Guadalupe River adjacent to Sanchez Ave. As discussed on the phone with Jennifer Codianne, Valley Water and City of San Jose are currently negotiating development of an Emergency Interim Housing (EIH) site on the undeveloped 2.52-acre lot along Cherry Avenue. During the San

Jose City Council meeting held on June 6, the City Council approved staff's recommendation to pursue the Cherry Avenue site for Emergency Interim Housing development and the Water Resources Protection Zone (WRPZ) which will be an identified zone to keep clear of camping, fires, damage to vegetation, wildlife, and pollution to the water.

We recognize the unhoused and encampment situation in our county, region, state, and nation, remains an ongoing societal issue that we must strive to resolve together. Valley Water is in constant coordination with the cities, the County of Santa Clara and local law enforcement, to address encampment concerns.

Valley Water performs large-scale trash cleanups throughout the county to minimize trash generated by encampments that pollute the waterways. In this reach of Guadalupe River, Valley Water staff has already removed 35.88 tons of trash generated from encampments in this reach of creek this past year, the last cleanup occurred on June 5 & 6. We also wanted to alert you to the upcoming encampment cleanup event in this reach on July 13 & 14, 2023, which hopefully will address your trash related concerns. Additionally, National River Cleanup Day was May 20, 2023, which also aims to address trash related concerns in this area and countywide.

We share your frustration regarding the impacts of the encampments and acknowledge the multi-agency process involved to address this issue can be extensive.

While Valley Water is committed to using the power that 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—Valley Water, as with all public agencies, must adhere to related case law and federal public health guidance.

Legal Constraints

Covid related: During the COVID-19 pandemic, the Centers for Disease Control and Prevention (CDC) issued interim guidance to public agencies, recommending they allow people who are living unsheltered or in encampments to remain where they are if no individual housing options are available due to the risk of spreading the disease. As of November 2022, this CDC guidance

was updated to state that although people experiencing unsheltered homelessness do not reside in a congregate setting, the risk of severe COVID-19 can be high in this group because of underlying medical conditions and lack of access to healthcare.

Unhoused Case Law: Additionally, per the case of *Martin v. Boise*, the U.S. Court of Appeal for the Ninth Circuit held that the City of Boise violated the Eighth Amendment of the U.S. Constitution (prohibiting cruel and unusual punishment) for enforcing two city ordinances that made it a misdemeanor to camp on streets, sidewalks, parks, or public places (camping ordinance), or to sleep in a public place without the owner's permission (part of a disorderly conduct ordinance) when there was not enough beds available in local homeless shelters to house all of the unsheltered.

Effects of the Law on Valley Water

Both the case law and CDC guidance have significantly affected how public agencies like Valley Water are responding to encampments of unsheltered persons. Please note these constraints also apply to the City of San Jose's trails rules; so, while it is important to maintain public access to safe recreation opportunities, enforcement of these rules and ordinances on the unhoused community is subject to the limitations imposed by caselaw and statute.

Prior to the COVID-19 pandemic, Valley Water's approach to encampment management was a complaint-driven, abatement-focused strategy. While this approach addressed the immediate location of an encampment, it rarely led to an outcome of fewer encampments, and often the encampment moved to a new location. The new encampment management strategy seeks to manage encampments by using a variety of tools and approaches to better manage sites and reduce the need for abatements overall until adequate housing is available.

When performing work critical to its core mission, Valley Water will safely relocate encampments on Valley Water property including Valley Water right of way through coordinated efforts with other public agencies if the following criteria are met:

- a) the encampment is in the path of, interferes with or obstructs access to,

- i. flood protection/ water infrastructure facilities or projects
- ii. maintenance projects, facilities, or maintenance access roads
- iii. designated mitigation or vegetation management sites

b) the encampment poses an immediate safety risk— An immediate safety risk is one that involves safety of Valley Water staff. Safe relocation of encampments may also be conducted in response to public safety issues as determined by local jurisdictions such as a city, the county, or their police or fire departments. In the case of a public safety issue Valley Water will assist local jurisdictions in addressing encampments on property where Valley Water holds land rights.

Everyone is still encouraged to contact the police if any illegal activity or threat to public health and safety is observed; and contact the fire department for fire and smoke incidents.

What Valley Water is Planning

Also, to address the long-standing issues related to unsheltered encampments, Valley Water’s Board of Directors directed staff on January 18, 2023, to proceed with the following actions to address the human, environmental and operational concerns of encampments of unsheltered people in the riparian corridors of Santa Clara County:

1. Proceed with a District Act amendment to give the legal authority for Valley Water to address encampments of unhoused people separately, or in conjunction with a proposed District Act bill.
2. Develop a longer-term solution in global partnership with cities, the County, and other special districts to help ensure better outcomes for unsheltered people. This may take the form of a global agreement, a JPA, or the creation of a continuum of care in Santa Clara County.
3. Consider district owned properties that could be used for the development of housing and create an inventory of those properties.

Again, we want to assure you that Valley Water is actively working in concert with our agency partners and the community to address the unhoused and encampments. We are always appreciative of

your comments and should you have additional concerns, please feel free to contact me directly.

Please contact Jennifer Codianne, Deputy Officer for Watersheds Operations and Maintenance at jcodianne@valleywater.org for follow up information.

You may also use our online system to report issues at <https://access.valleywater.org/customer/s/>.

Sincerely,



Jim Beall

Director, District 4

C-23-0131

From: christina correa [REDACTED]
Sent: Monday, June 12, 2023 1:39 PM
To: Board of Directors <board@valleywater.org>
Subject:

*** 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 live near Almaden lake. This is regarding the issue of the homeless encampment there. Lots of criminal activity and I have recently been a victim of a break in in my home over the weekend.

I have heard that this area is property of the water company. Can you confirm this?

I just don't know where to start to try and get the encampment cleared out.

Thank you,

Christina Correa



[Sent from AT&T Yahoo Mail for iPhone](#)

Board of Directors

From: Civil Grand Jury <CGJ@scscourt.org>
Sent: Monday, December 02, 2024 3:35 PM
To: Board of Directors
Subject: 2025-26 Santa Clara County Civil Grand Jury Recruitment
Attachments: Civil Grand Jury Brochure 2024.pdf; 2025-2026 Civil Grand Jury Application and Nomination Form.pdf; SCVWD Board of Directors.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

*** 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 SCVWD Board of Directors,

The Superior Court of California, County of Santa Clara is pleased to announce that the recruitment for the 2025-26 Civil Grand Jury is underway.

Please find enclosed a letter from Superior Court Presiding Judge Beth McGowen and Presiding Judge-Elect Julie Emede, an informational brochure explaining the role of the Civil Grand Jury, and an application to be considered for service on the 2025-26 Civil Grand Jury. More information about the Santa Clara County Civil Grand Jury, as well as the link to the [web-based application](https://santaclara.courts.ca.gov/CGJ), is available on our website, <https://santaclara.courts.ca.gov/CGJ>.

The Court will be accepting applications until Friday, March 28, 2025. Please do share this information with your network and let us know if you have any questions.

Thank you for your consideration of our appeal for applicants!

Best,
Britney Huelbig (pronouns she/her)
Deputy Manager | Temporary Judge Administrator
Superior Court of California, County of Santa Clara
(408) 882-2721 | CGJ@scscourt.org | <https://santaclara.courts.ca.gov/CGJ>

NOTICE TO RECIPIENT: *The information in this email is confidential and privileged and may not be redisclosed unless specifically authorized by law. If the recipient has received an admonition administered by the Civil Grand Jury, a violation of that admonition may constitute contempt of court. Grand jury records are not subject to public disclosure under the California Public Records Act. If you received this email in error, any review, use, dissemination, distribution, or copying of it is strictly prohibited. Please notify the Office of the Civil Grand Jury of any disclosure immediately at 408-882-2721 and delete this communication and any attached documents from your system.*

**Superior Court of California
County of Santa Clara**

191 North First Street
San José, California 95113
(408) 882-2700



November 25, 2024

SCVWD Board of Directors
Santa Clara Valley Water District
5750 Almaden Expressway
San José, California 95118-3686

Sent via email: Board@valleywater.org

Dear SCVWD Board of Directors,

We are pleased to announce that the Superior Court of California, County of Santa Clara is seeking volunteers to serve on the 2025-26 Santa Clara County Civil Grand Jury. As part of our annual recruitment, we are reaching out to community members like you—elected officials, business leaders, and civic leaders—who have a vested interest in making a positive impact on local governance.

The Civil Grand Jury plays a vital role within the Judicial Branch, acting as a civil investigator. This is a unique opportunity for citizens to contribute to the improvement and efficiency of our local government. Grand jurors have the independent authority to examine various aspects of county and city operations, including school districts and special districts, and are also empowered by law to inspect adult and juvenile detention facilities.

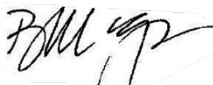
Our goal is to create a grand jury pool that reflects the diversity and talent of our community. A wide range of perspectives and expertise among grand jurors is essential to carrying out the panel's broad oversight responsibilities. With your support, we can ensure the Civil Grand Jury remains an important force for accountability and positive change in Santa Clara County.

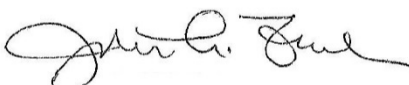
Residents who qualify—having lived in the County for at least one year, being U.S. citizens, and 18 years or older—are encouraged to apply for a one-year term starting on July 1, 2025.

We are happy to announce that applications can once again be submitted entirely online at <https://santaclara.courts.ca.gov/CGJ>. The deadline to apply is Friday, March 28, 2025. For more information or to apply, interested individuals can contact Britney Huelbig, Deputy Manager of the Civil Grand Jury, at 408-882-2721 or CGJ@scscourt.org. If you have any upcoming events or opportunities to help promote this recruitment, Ms. Huelbig is available to coordinate support from the Court as needed.

Thank you for your assistance in this important outreach effort. We look forward to speaking with those you recommend as a candidate about the benefits of serving on the Civil Grand Jury.

Sincerely,


Beth McGowen
Presiding Judge


Julie A. Emede
Presiding Judge-Elect

Contact Information

Santa Clara County residents are encouraged to apply for service on the Civil Grand Jury.

Resident complaints are submitted to the Civil Grand Jury and may serve as the basis for a final report.

 Phone Number

408-882-2721

 Email Address

CGJ@scscourt.org

 Website

www.scscourt.org/CGJ



Those who are called to serve on the Civil Grand Jury are part of an independent arm of the Judicial Branch.

They voluntarily enter this service with interest and curiosity in learning more about the administration and operation of the government in the county in which they live in order to function as an investigatory body.



Santa Clara County

**Civil
Grand
Jury**



What is the Civil Grand Jury?

The U.S. Constitution's Fifth Amendment and the California Constitution call for grand juries. The Santa Clara County Civil Grand Jury investigates the operations of the various officers, departments, and agencies of local government, and is responsible for three main functions:

1. Civil Watchdog Agency
2. Reviewing Resident Complaints
3. Filing Accusations

Grand Jury service calls for diligence, objectivity, and courage.



Commitment and Remuneration

Service on the Civil Grand Jury requires a time commitment of approximately 25 hours per week. This can fluctuate based on a juror's involvement in committees and investigations. Each panel serves on a fiscal year basis. The exact schedule is determined by the Civil Grand Jury and includes the option for hybrid work.

Civil Grand Jurors receive a per diem payment for official grand jury business, as well as mileage reimbursement. Training, support, and supplies are also provided by the Court and County.

Qualifications

- Be a citizen of the United States;
- Be at least 18 years of age;
- Reside in Santa Clara County for at least one year before being selected;
- Be in possession of their natural faculties, of sound judgment and good character;
- Possess a working knowledge of the English language;
- Be willing to complete a Statement of Economic Interests Form 700 within 30 days of empanelment, annually, and within 30 days of leaving office for public review;
- Not presently serving as a trial juror;
- Not having been discharged as a grand juror within one year of being selected;
- Not having been convicted of a felony or of malfeasance in office;
- Not presently serving as an elected official.





**Superior Court of California,
County of Santa Clara**

2025-26 Civil Grand Jury Application and Nomination Form

1. Name Prefix: _____
2. First Name: _____
3. Middle Name: _____
4. Last Name: _____
5. If different than above, preferred name: _____
6. Home Phone: _____ 7. Cell Phone: _____
8. Email Address: _____
9. Residence Street Address: _____
10. Residence City: _____ 11. Zip Code: _____
12. If different than above, please enter your full mailing address: _____

13. Gender: Man (or male) Woman (or female) Non-binary Decline to answer
14. Date of Birth: ____/____/____ 15. Place of Birth: _____
16. Age Range: 18-25 26-34 35-44 45-54 55-64 65-74 75 and over
17. Driver License or State ID Number: _____
18. Indicate your race/ethnicity by checking all that apply:
 - American Indian or Alaska Native
 - Asian
 - Black or African American
 - Hispanic/Latino
 - Other (please state) _____
 - Native Hawaiian or other Pacific Islander
 - White
 - Decline to answer
19. Sexual Orientation:
 - Gay
 - Lesbian
 - Bisexual
 - Straight/heterosexual
 - Pansexual
 - Queer
 - Another sexual orientation
 - Decline to Answer

20. Please select your current student and/or employment status:

- Student - full-time
- Student - part-time
- Employed - full-time
- Employed - part-time
- Retired
- Not employed

21. Please provide detailed (present and/or past) employment (10 years or two most recent jobs) and educational background information on a separate sheet of paper. This resume/statement of qualifications as requested is attached: Yes No

22. If you are employed, does your employer understand the nature of the duties of a Grand Juror and will they release you to full-time Grand Jury service for the entire period that the jury shall be in session? Yes No


If you are currently employed, a written release verification from your employer must be attached to this application.

Employers are not required to pay wages to citizens serving on the Civil Grand Jury.

23. Name of Spouse/Significant Other: _____

24. Spouse/Significant Other's Occupation/Employer: _____

25. Do you require any accommodations for a mental or physical condition (including impaired hearing, eyesight, or mobility) to enable you to participate in the application process or as a Grand Juror? (Please explain)

 Pursuant to California Rules of Court, Rule 1.100, and the Americans with Disabilities Act (ADA), the Superior Court of California, County of Santa Clara, does not discriminate against persons with disabilities.

26. Are you a citizen of the United States? Yes No

27. Do you read and understand English? Yes No

28. Are you 18 years or older and will you have been a resident of the State of California and of the County of Santa Clara for at least one year as of June 18, 2025? Yes No

29. Are you a registered voter? Yes No

30. The Political Reform Act (Gov. Codes § 81000, 84100 et seq.) requires most state and local government officials and employees who make or participate in the decision-making process to publicly disclose their personal assets and income. If you are selected as a member of the Civil Grand Jury, you will be required to complete a Statement of Economic Interests (Form 700). Are you willing to complete the [Form 700](#)? Yes No

31. Are you related to or closely associated with any elected official or public employee?
 Yes No
 If yes, please give their name(s) and explain relationship(s).

32. Are you currently serving as an elected public official? Yes No
 If yes, please provide your title and the date your term will end.

33. Are you planning to run for office during the 2025-2026 Civil Grand Jury term?
 Yes No
 If yes, please provide the office and date of election.

34. Have you ever run for a publicly elected office? Yes No
 If yes, please specify the office(s), the date(s) of your candidacy, and any relevant details.

35. Have you ever been convicted of malfeasance in office? Yes No

36. Have you ever been convicted of a felony? Yes No

37. Have you ever been convicted of a misdemeanor? Yes No

38. If you have indicated that you have been convicted of malfeasance in office, a felony, and/or a misdemeanor, please provide the details below, including the offense, the city/state the offense(s) occurred, the date of the offense, and the penalty issued.

Please note that a misdemeanor conviction is not an automatic bar to acceptance of application. Each case is considered individually and confidentially. Please provide additional information to CGJ@scscourt.org if necessary.

Offense	City/State	Date	Penalty

39. As a member of any profession or organization or as a holder of any office, have you ever been suspended, disbarred or otherwise disqualified? Yes No

40. Are you contemplating any absence from Santa Clara County in the Fiscal Year 2025-026, which might interfere with your performance as a Grand Juror? Please note that short absences are normal and expected; this question is focused on long periods of unavailability.
 Yes No Other: _____

41. If you are considering an extended absence from Santa Clara County in Fiscal Year 2025-2026, please list your anticipated departure and return date(s). Please list "N/A" if you answered "no" to the previous question.

42. If selected as a finalist, will you be able to attend the mandatory Drawing/Empanelment Ceremony on Wednesday, June 18, 2025, at 4 pm? Yes No

43. Training pursuant to Penal Code § 914 for the 2025-2026 Civil Grand Jury is tentatively scheduled on July 1 and 2, 2025. It is required that each of the persons selected for the 2025-2026 Civil Grand Jury attend these meetings.

Will you be able to attend all of the mandatory training sessions? Yes No

44. If selected as a Grand Juror, you will be required to swear or to affirm the following obligation:

"I do solemnly swear (affirm) that I will support the Constitution of the United States and of the State of California, and all laws made pursuant to and in conformity therewith, will diligently inquire into, and true presentment make, of all public offenses against the people of this state, committed or triable within this county, of which the grand jury shall have or can obtain legal evidence. Further, I will not disclose any evidence brought before the grand jury, nor anything which I or any other grand juror may say, nor the manner in which I or any other grand juror may have voted on any matter before the grand jury. I will keep the charge that will be given to me by the court."

Do you have any objections to taking such an oath or affirmation? Yes No

45. Will you define and evaluate issues without expressing personal bias? Yes No

46. Are you aware that the Civil Grand Jury is required to publish a final report of issues they have investigated? Yes No

47. Are you willing to investigate county government issues and prepare reports on these issues?
 Yes No

48. Please outline your knowledge and understanding of the role and function of the Civil Grand Jury.

49. Why do you want to serve on the Civil Grand Jury and what contributions would you hope to make as a member?

50. Please assist the Court in the evaluation of the Grand Jury recruitment program by indicating from which source you learned about service on the Santa Clara County Civil Grand Jury. (Please select all that apply)

- | | |
|------------------------------------|---------------------------------------|
| <input type="checkbox"/> Newspaper | <input type="checkbox"/> LinkedIn |
| <input type="checkbox"/> TV/Radio | <input type="checkbox"/> Instagram |
| <input type="checkbox"/> Agency | <input type="checkbox"/> Twitter |
| <input type="checkbox"/> Referred | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> NextDoor | |

51. If you learned about service on the Civil Grand Jury from a specific newspaper, agency, or individual, please elaborate here.

52. Have you ever served on the Santa Clara County Civil Grand Jury?

- Yes No Other: _____

53. If you have previously served on the Santa Clara County Civil Grand Jury, please list the year(s) here: _____

54. I am in possession of all my natural faculties, of ordinary intelligence, and of sound judgment and fair character. I certify under penalty of perjury that all of the statements I have made are true, complete, and accurate. Yes No

Applicant Statement

I, _____, understand that my name may be placed in nomination to be considered for membership on the Civil Grand Jury of Santa Clara County for the Fiscal Year 2025-2026.

I understand that the term will be from July 1, 2025, to June 30, 2026.

I am aware that such service requires that I be in attendance at least 20 hours per week and frequently more. In this regard, I understand that as a Grand Juror, I must be flexible and able to serve some evening and weekend hours, as well as during normal business hours, as determined by the 2025-2026 Civil Grand Jury. I declare, pursuant to Penal Code § 896(a), that I will be available to serve during those required hours.

Each member of the Grand Jury shall be allowed a per diem for each day's attendance, either at general sessions or committee assignments of the Grand Jury. Mileage expense (nontaxable) is also compensated for each mile actually and necessarily traveled for purposes of said sessions or committee work.

Now, therefore, I have read and understand the above and I hereby state that I have no commitments which would prevent me from meeting the requirements for service on the Santa Clara County Civil Grand Jury.

I recognize that my attendance will be expected and may be required by the Foreperson of the Grand Jury.

I fully understand that the Civil Grand Jury staff will conduct a background check. Furthermore, I understand that I must complete a Form 700.

I therefore request that I be considered as a candidate for the Civil Grand Jury of Santa Clara County for the Fiscal Year 2025-2026.

Signature (Full Name)

Date

Submit

REMINDER: Please attach (PRESENT and/or PAST) employment (10 years or two most recent jobs) and educational background information. A resume may be submitted to satisfy this requirement.



Application Reminders

- ✓ Application completed, signed, and dated.
- ✓ Applicant Statement signed and dated.
- ✓ Included employment and educational background information (or resume).
- ✓ Please print or copy before submitting if you wish to retain a copy for your records.
- ✓ Hard copies may be mailed to the Downtown Superior Courthouse, Attention: Britney Huelbig, Deputy Manager – Civil Grand Jury, 191 N. 1st Street, San Jose, CA 95113.

Please note: electronic signatures will be accepted for the above-listed items.

Dates to Remember

1. Empanelment Ceremony - will be held in person or virtually on June 18, 2025.
2. Grand Jury Orientation - will be held in person or virtually on July 1, 2025.
3. Grand Jury Legal Training - will be held in person or virtually on July 2, 2025.
4. Regional Training - Dates to be announced.

Please visit the Court website for additional information:
<https://santaclara.courts.ca.gov/CGJ>

OUTGOING BOARD CORRESPONDENCE

Board of Directors

Subject: FW: Corrie Court Coyote Creek Guadalupe Waterway Columbus Park

From: Candice Kwok-Smith **On Behalf Of** Board of Directors

Sent: Monday, December 2, 2024 4:40 PM

To: [REDACTED]

Subject: Re: Corrie Court Coyote Creek Guadalupe Waterway Columbus Park

Sent on Behalf of Director Santos:

Dear Cathleen Ellen Langan,

Thank you for reaching out to Valley Water. We believe the funding you referenced in your message is related to Valley Water's requirement by the Federal Energy Regulatory Commission to carry out flood risk reduction measures for Anderson Dam. This includes completing the Coyote Creek Flood Management Measures Project and Coyote Creek Flood Protection Project, which are critical public health and safety projects that seek to design and construct improvements along Coyote Creek between Montague Expressway and Tully Road in San Jose. In support of these projects, Valley Water executed a funding agreement with the City of San José to facilitate the relocation of encampments in areas needed for project staging, construction, operation, and maintenance, including the Corie Court area.

However, Valley Water does not itself provide direct homelessness/housing services. Under our funding agreement, it is the City of San José's responsibility to accomplish the encampment relocations required by the Coyote Creek projects, including providing outreach, support services, and referrals to available shelter and housing options. For questions about these services, please contact the City of San José Housing Department: <https://www.sanjoseca.gov/your-government/departments-offices/housingRegarding>. Regarding your specific inquiry about rapid rehousing funding, rapid rehousing is a program run by the County of Santa Clara Office of Supportive Housing: <https://osh.sccgov.org/solutions-homelessness/permanent-solutions/rapid-rehousing>.

The Valley Water-sponsored State Assembly bill, AB 1469 (Kalra) *Valley Water Assisting Unsheltered People*, amended Valley Water's governing act to authorize Valley Water to assist unsheltered people living along streams, in riparian corridors, or otherwise in our jurisdiction, in consultation with a city or the County of Santa Clara, to provide solutions or improve outcomes for the unsheltered individuals. Although AB 1469 did not provide Valley Water with any new funding, this legislation amends the District Act to authorize Valley Water to provide solutions or improve outcomes for the unsheltered individuals. AB 1469 does not allow Valley Water to provide direct housing funds to individuals, but our staff is discussing with nonprofit organizations and local government agencies the use of specific Valley Water-owned properties for potential temporary and permanent supportive housing.

Thanks again for your message. You may contact Assistant Operating Officer Mark Bilski at mbilski@valleywater.org with any follow-up information.

Stay safe and healthy,



Richard Santos
Director, District 3

From: Cathleen [REDACTED]
Sent: Friday, November 22, 2024 5:36 AM
To: Board of Directors <board@valleywater.org>
Cc: omar.passons@sanjoseca.gov
Subject: Corrie Court Coyote Creek Guadalupe Waterway Columbus Park

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

Dear Board of Directors of Valley Water District,

We are writing to ask about the funds you allocated to the City of San Jose for the Corrie court ecampment abatement and the SanbFrancisco Wildlife Environment mandate as well as the Mesaure 491 Ash Karlra helped passed to allocate funds to relocate homeless living on the waterways.

We would like to apply for rapid rehousing funds. November 1, 2024 we began renting an apartment at Raintree Apartments [REDACTED] San Jose CA 95112. Our monthly rent is \$2,197 for a one bedroom two occupants. This is fair market value.

Our year lease includes Cathleen Ellen Langan and Isaias Gonzalez Cortes. We are both on your list for services and have received assistance through HomeFirst but despite all our efforts, could not access rapid rehousing funding help.

Please direct us in how we can get help paying our rent so we are not at risk for becoming unhoused and using the funds intended to help us.

Thank you.
Sincerely,
Cathleen Ellen Langan
Isaias Gonzalez Cortes
Wolfsky(Our support Animal)

From: [Liang Xu](#)
To: [John B Hernandez](#)
Cc: [REDACTED] [Board of Directors](#); [District9](#); [Scott Hughes](#); floodzoneinfo@sanjoseca.gov; [Jim Beall](#); [Cambice Kwok-Smith](#)
Subject: RE: Ross Creek Records and FEMA phone and email contact
Date: Tuesday, December 3, 2024 6:32:56 PM
Attachments: [image001.png](#)
[Ross_Response_12_3_24.pdf](#)

Hi John, Here are the responses to your recent emails, see the enclosed pdf file/letter.

We are still waiting for FEMA's response to our data request. As soon as we receive the data, we will send it to you.

Thanks.

Liang

From: John B Hernandez [REDACTED]
Sent: Friday, November 22, 2024 12:17 PM
To: Board of Directors <board@valleywater.org>; District9 <district9@sanjoseca.gov>; Scott Hughes <scott.hughes@sanjoseca.gov>; floodzoneinfo@sanjoseca.gov; Jim Beall <JBeall@valleywater.org>; Liang Xu <lxu@valleywater.org>
Cc: [REDACTED]
Subject: Re: Ross Creek Records and FEMA phone and email contact

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

Santa Clara Valley Water District (Valley Water),
City of San Jose Public Works Department (Arlene Lew)
FEMA Representative (Contact not provided)
San Jose District 9 Council Office

The email information that was provided to me does not provide any information for the 1991 flood insurance addition to my residence or my neighborhood. I purchased my home at [REDACTED] in 1979 without a food insurance requirement.

In 1991 flood insurance was applied to my home and my neighbors. I perceive this flood insurance assignment was overzealous, without prior flood evidence to financially impact me.

Please see Santa Clara Valley Water District report from the two downtown floods in January and March 1995. Please see Appendix B sheet 13 (file sheet number 40 of 73). These massive storms slightly overflowed Ross Creek at Cherry Avenue to only seep into storm drains and curbs. **No houses were affected, and water did not even reach my Bryan Avenue. This is evidence that this flood zone needs to be revised, and the flood insurance requirement be removed immediately.**

I perceive that the City of San Jose, Santa Clara Valley Water District and FEMA collaborated in the 1991 timeframe to add this flood insurance requirement to obtain funds for San Jose projects. This historical documentation you will provide from 1991 should disclose who and how this flood insurance requirement was assigned. Research San Jose Mercury News articles for the planned lake near the arena and boat traveling up/down Guadalupe River that never materialized in 1990s The Army Corps of Engineers were involved at that time.

I submit to you all a performance specification that I prepared to assure a flood never occurs in San Jose. This procedure is high level requirements that Valley Water should incorporate into their procedures and San Jose Public Works to provide important oversight and inspections. If this is in place right now it does not work. It addresses reservoir water releases, river and creek preventative maintenance.

I plan on presenting this information to the San Jose Mercury News for an investigation request.

Please follow up with FEMA to provide the information I request. I need a FEMA point of contact.

John B Hernandez

On Friday, November 22, 2024 at 08:49:39 AM PST, Board of Directors <board@valleywater.org> wrote:

Sent on Behalf of Director Beall:

Dear John Hernandez:

Thank you for reaching out to us with your inquiry regarding FEMA backup data for FEMA's mapping of the Ross Creek floodplain. We are providing you with access to the data we have and have requested additional data directly from FEMA's Engineering library. The request may take a month or two as we are not in control of the schedule.

The data we already have can be downloaded from the following link (please see detailed description below): <https://fta.valleywater.org/fl/Uo1rk2cQJ0>

The following data is being provided at that link:

1. 0603490037D_1982.tif: The original FEMA map from 1982 [Downloaded from FEMA Map Service Center: <https://msc.fema.gov/portal/home> with the 'Search All Products' link- you need to select State/County/City, press Search, then select Historic Products/Firm Panels]. This matches the currently effective floodplain map, which can be viewed at the same website using the 'Search by Address' box. Since these floodplains match, we believe that your neighborhood was first mapped into the FEMA floodplain in 1982 and that the floodplain map has not changed since then.

2. The Flood Insurance Study [FIS] Reports from FEMA: The study for Santa Clara County is provided as four pdf documents.
 1. 06085CV001A.pdf: Provided because it shows that the hydrology table for Ross Creek is missing from the Flood Insurance Study Report. The flow distributions are listed alphabetically by creek; see document page 83 or PDF Page 90.
 2. 06085CV004A.pdf: Provided because it contains the 10- and 100-year water surface profiles for Ross Creek on PDF Page 38 of 97.
 3. 06085CV002A.pdf & 06085CV003A.pdf: Provided because this is part of the FIS report.

3. 3023001.dat: A Hec-2 hydraulic model, downloaded from Valley Water's website. This model is based on the 1982 model with some modifications but seems to be very similar to the hydraulic model used to create the water surface profiles provided above.

In addition, we also reached out to FEMA for the appropriate contact and they provided the following information:

1. Website for the FEMA Mapping Insurance eXchange (FMIX):
https://floodmaps.fema.gov/fhm/fmx_main.html (note: this has a live chat link).
2. FMIX Phone Number: (877) 336-2627

We have reached out to FEMA on your behalf and our staff will be in touch again as soon as we receive the data from FEMA.

Please contact Liang Xu, Hydrology, Hydraulics, & Geomorphology Manager at lxu@valleywater.org or (408) 630-2780.

Sincerely,

A handwritten signature in blue ink that reads "Jim Beall". The signature is written in a cursive style with a long, sweeping underline for the letter "j".

Jim Beall

Director, District 4

C-24-0256

From: John B Hernandez <[REDACTED]>
Sent: Monday, November 11, 2024 3:57 PM
To: Liang Xu <lxu@valleywater.org>; Jim Beall <JBeall@valleywater.org>; District9 <district9@sanjoseca.gov>; Scott Hughes <scott.hughes@sanjoseca.gov>
Cc: [REDACTED] Kathygarcia09
Subject: Ross Creek Records and FEMA phone and email contact

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Hi Liang Xu, (Valley Water)

I live in Jim Beall's Santa Clara Valley Water District 4. My name is John B Hernandez, and I live at [REDACTED] San Jose 95118 near Ross Creek.

I would like the current flood insurance supporting documents for my address and Ross Creek. I purchased my home in 1979 and was not in a flood zone or flood insurance requirement. In 1991 my home was placed in a flood zone and insurance requirement. The flood zone map has not changed after 34 years, and my home is still 1 1/2 homes from the bank of the flood zone bank. I would like this flood zone insurance requirement removed for me and my neighbors.

Can you please provide me the appropriate FEMA flood zone representative contact information (phone number and email address) for my address flood zone because I have some information I want to discuss with FEMA.

See the Valley Water links that have some information that I have briefly reviewed and led me to you.

[HEC-2 and HEC-RAS data library | Santa Clara Valley Water](#)

valleywater.org/sites/default/files/3023001.txt

Regards,

John B Hernandez

Dear John Hernandez,

We have received your emails regarding Ross Creek and we can categorize them into four areas: Ross Creek Floodplain and flood insurance requirements, 1995 Flooding on Ross Creek, Ross Creek maintenance and Reservoir Operations; our responses are below:

Ross Creek Floodplain and Flood Insurance Requirements

You asked why you needed to start paying for flood insurance in 1991. Here is a timeline of events that may be helpful in unpacking this:

- 1973: The Flood Disaster Act of 1973 required all homes owned with federally-backed mortgages which were also located within the 100 year FEMA floodplain to purchase flood insurance.
- 1982: Homes within the Ross Creek 100 year floodplain were first mapped onto the floodplain (based on our research from the FEMA Map Service Center). These maps were commissioned by FEMA and the floodplain mapping was conducted by FEMA's consultant, with input from Valley Water.
- 1991: Santa Clara Valley Water District (Valley Water) may have had a meeting with residents around this time. However, Valley Water does not reach out to insurance companies to alert them of floodplain map changes. Insurance companies have their own policies for keeping track of the flood insurance requirement. Based on our research, your property should have been required to pay for insurance starting in 1982. We do not know what triggered the insurance requirement for your property, or, for that matter, when any of your neighbors started paying for insurance. Some may well have been paying since 1982.
- 1991: Your lender invoked the requirement for your home to have a flood insurance policy, following the 1973 federal law.

Please note the following:

- Valley Water does not have the authority to require flood insurance for homes.
- Valley Water does not reach out to insurance companies to discuss updates to floodplain maps unless the insurance companies file a public records request.
- Neither Valley Water, the City of San Jose, nor the mortgage lenders profit from the purchase of flood insurance policies by homeowners.
- The 1973 Flood Disaster Act of 1973 forced lenders to require flood insurance for homes held with federally backed loans within the 100 year FEMA floodplain.
- As part of the 1973 Act, there was no grace period for homes constructed (or purchased) prior to establishment of the first Flood Insurance Rate Map for the area (1982 for your neighborhood). However, apparently it took some time for those rules to be enforced after floodplain maps were established, at least for your property.

Valley Water has no knowledge of when any of your neighbors started paying for insurance; that is proprietary information and most likely varies depending on the lender.

1995 Flooding on Ross Creek

The two flow events on Ross Creek in 1995 were relatively small. Our hydrology studies suggest that the 1995 flow event on Ross Creek would have had a recurrence interval of just a few years, as indicated in Table 4 of the report; the 100 year flow event would be much larger with a correspondingly much larger floodplain. The intent of these reports is to document flooding within the county from larger rainfall events to the best of our knowledge. The flooding report from 1995 was created because of larger flooding on other creeks; the flooding on Ross Creek was documented that year for completeness of that report, not because it was a rare/large event on Ross Creek.

Ross Creek Maintenance

Valley Water conducts inspections of creeks over which it has responsibility across Santa Clara County. One of those streams is Ross Creek. Valley Water staff typically conduct annual inspections of Ross Creek. Based on those inspections and monitoring throughout the rainy season, if significant sediment accumulation is observed at Cherry Avenue or other locations along Ross Creek where it could increase flooding risk, Valley Water subsequently pursues removal of the sediment as part of its Stream Maintenance Program (SMP). The SMP comprises an environmental impact report and permits from seven state and federal regulatory agencies allowing for Valley Water to conduct routine stream maintenance activities, including sediment removal. Under the SMP, Valley Water may remove sediment in accordance with specific permit conditions, one of which is doing so only between June 15 and October 15. Because of this permit condition and the tendency for sediment accumulation to occur in Ross Creek at Cherry Avenue, Valley Water's practice has been to plan for sediment removal at this location under the SMP during this June 15 through October 15 work window. Specifically, you mentioned that sediment removal had not been conducted as of March 2024, and provided a picture. That sediment was removed this past summer during our typical SMP instream work window.

Reservoir Operations

Response to Section 1.1:

Valley Water does not operate any reservoir above Ross Creek, which is a tributary to the downstream part of the Guadalupe River; Ross Creek has no dam on it. Flows in Ross Creek stem from surface water runoff from the creek's own watershed, storm drains discharging in Ross Creek, and shallow groundwater entering the creek. The latter is the baseflow in the creek that could be observed even on sunny days.

However, this response to statements made in section 1.1 addresses the operation of five reservoirs on other streams in the Guadalupe River Watershed. These are Almaden, Calero, Guadalupe, Lexington, and Vasona reservoirs.

Valley Water follows rule curves when operating its reservoirs. Rule curves were developed from historic hydrology and only provide an incidental benefit of flood risk reduction. A rule curve balances water supply and environmental storage needs with flood risk reduction storage space for a reservoir on each day of the rainy season, with the goal of maximizing water storage by mid-Spring.

In wet years, storage in a reservoir could go higher than the flood rule curve, but staff make additional reservoir releases to bring down storage in order to maintain space in the reservoir to try and capture the peak inflows from subsequent rain events. However, when the storm is large, the dam outlet pipe capacity may not be able to keep up with the inflows into the reservoir, thus storage would increase and potentially exceed the rule curve and, in some cases, uncontrolled spills might occur, even though the outlet pipe had been fully open before and during the rain event. This is normal in the world of reservoir

operations; spills cannot always be avoided. To minimize the chance of spilling, Valley Water would need to keep the reservoir almost empty during the rainy season. This would result in a huge loss to water supply, contradict the purpose for which the reservoirs were built, violate State Law regarding the use of a facility funded by groundwater charges. For these reasons, drawing the reservoir down (way below its rule curve) during the rainy season is not a feasible option.

Response to Section 3.1:

Requirement 3.1 is not acceptable to Valley Water. None of its reservoirs have unlimited storage space to store the hydrograph volume (i.e., inflows from a storm) and wait for sunshine to resume water releases from the reservoir.

Valley Water's reservoirs were built for water conservation and designed to fill and spill. However, in 1997, the Board of Directors adopted rule curves on seven of its ten reservoirs to reduce the risk of flooding while minimizing the impact on water supply. Lowering these rule curves much further, as this proposal indirectly suggests, would have serious impacts to water supply and environmental benefits for the county's residents, businesses, protected fish species, and ecosystem health.

The proposed requirement contradicts standard reservoir management practices: If Valley Water doesn't release water during relatively smaller storms, there likely will not be enough storage space in a reservoir to handle subsequent, larger storms. This will potentially lead to larger flow peaks in streams downstream of the dam during larger rain events. Valley Water reservoir operations were designed using hydrologic historical records and typical operational procedures to balance water supply, environmental, and flood risk reduction benefits. Flood risk reduction benefits include reducing the risk of spills and reducing the peak streamflow from major storm events.

In addition, when we are outside a reservoir's diversion period (typically from May to November for most of Guadalupe River Watershed's reservoirs), Valley Water is required by law to release all inflows entering its reservoirs. Finally, Valley Water must release some water at all times to maintain fish and aquatic habitat below each dam, per State and federal resource agencies' requirements. Even during a rainfall event, if all releases from a reservoir were stopped, the creek would begin to dry back from the face of the dam which would be detrimental to the fish and aquatic habitat.

Response to Sections 4.1:

Valley Water staff review the measurement records regularly and review the reservoir operation procedures before the start of the rainy season. Furthermore, staff make daily decisions (and sometimes more than once a day) about reservoir releases based on rain forecasts, flood risk reduction rule curves, the numerical inflow/outflow models for each reservoir, and other operational and public safety considerations.

Finally, data collected from streamflow measurement stations, rain gauges, and reservoir storage gauges are available for the public to view at our ALERT site: <https://alert.valleywater.org>. We also have 3 cameras on Ross Creek which are viewable by the public at <https://valleywateralert.org/scvwd/webcams/watersheds.php>.

Thank you for your concern, and we hope this additional information is helpful. Please feel free to reach out with further questions.

Sincerely,

Liang Xu
Engineering Unit Manager of Hydrology, Hydraulics and Geomorphology Unit
Santa Clara Valley Water District

From: [Candice Kwok-Smith](#) on behalf of [Board of Directors](#)
To: [Carmen Narayanan](#); [Darin Taylor](#); [Rick Callender](#)
Cc: [Michele King](#); [Board of Directors](#)
Subject: FW: Complaint - Parcel Tax
Date: Wednesday, December 4, 2024 9:13:52 AM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[BI_8721986.pdf](#)

Good morning,

C-24-0273 has been approved, sent and closed.

Thanks,
Candice

From: Candice Kwok-Smith **On Behalf Of** Board of Directors
Sent: Wednesday, December 4, 2024 9:10 AM
To: [REDACTED]
Subject: Re: Complaint - Parcel Tax

Sent on Behalf of Director Santos:

Dear Ok Sun Kim and Yong Hwa Kim,

Thank you for your email. Valley Water staff has conducted further research into the matter of the Safe, Clean Water Low Income Senior Exemption for your home on Donahue Drive in Milpitas and confirmed the correction has been processed and the Safe, Clean Water special parcel tax has been removed from your property tax bill.

Background:

Valley Water staff filed a parcel tax correction form with Santa Clara County to remove the \$78.28 Safe, Clean Water special parcel tax on [REDACTED] following email confirmation between Valley Water staff and the homeowner(s) on October 9, 2024.

Staff appreciates Mrs. Kim following up and sharing the notice received from the County. Thank you for sending the attachments. Upon receipt, Valley Water staff promptly called the County Tax Roll Control Unit on November 25, 2024 to inquire as to the status the correction form submitted in October. County Tax Roll Control Unit staff confirmed receipt of the correction form and noted the correction should be posted within a few days.

Attached is a copy of the property tax bill (also available online here: <https://santaclaracounty.telleronline.net/search/1/PropertyAddress>) which shows \$0.00 owed and removal of special parcel tax 1023 SCVWD Safe Clean Water in the amount of \$78.28.

The correction has been processed.

As a reminder for future years, to remain in the Low-Income Senior Exemption program and maintain your exemption, your annual household income cannot EXCEED the annual income threshold amount. Valley Water mails out postcards annually to seniors for them to notify us if the household income level is greater than the threshold amount. In the future, do not return the postcard if your income is less than the income threshold amount. There is no need to reapply each year.

If you would like to discuss this issue further, Valley Water staff who manage the Safe, Clean Water Low-Income Senior Parcel Tax Exemption can be reached at SeniorExemption@valleywater.org or by phone at (408) 630-2810 and are available to assist you.

Stay safe and healthy,



Richard Santos
Director, District 3

C-24-0273

From: kim22276 [REDACTED]
Sent: Friday, November 22, 2024 11:11 AM
To: Anne Cooper <ACooper@valleywater.org>
Cc: Board of Directors <board@valleywater.org>
Subject: Complaint - Parcel Tax

***** 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. Cooper,

Your email on October 9, 2024 reads: my "mother in the Low-Income Senior Exemption program effective immediately and concurrently.....The County Assessor's Office will send a revised property tax bill."

Today my mother received a warning notice from the County Assessor's Office, telling my mother to pay her parcel tax or her account will become delinquent after December 10, 2024 (see the attached bill).

This is exactly what happened to my parents in 2018, 2019 and 2020, forcing them to pay your parcel tax or their account would become delinquent, their property sold at a public auction, and the like.

even though they had SUBMITTED AND APPROVED for the Low-Income Senior Exemption program all along.

You have said previously: There's no record of their Low-Income Senior Exemption application in 2019.

Please review our complaint to your Board of Directors (Mr. Santos) in October 2019.

It is clear now. Your error is obviously: You are confusing my mother's name with someone else's name. You had searched her Low-Income Senior Exemption application using the wrong name in 2019 and 2024.

Her name is Ok Sun Kim.

You have her first and last names reversed (see the attached postcard).....not uncommon mistake because it is a foreign name, but all the more reason to pay attention to avoid any mistake such as this.

Moreover, the postcard was stamped in "SAN JOSE CA 950."

My mother has lived in Milpitas, CA since 1979 and never lived in San Jose at any time.

Please REVERSE your parcel taxes for 2019, 2020, 2021 and 2024.

Yong Hwa Kim and Ok Sun Kim TRUSTEE & ET EL

[REDACTED]
Milpitas, CA 95035
[REDACTED]

This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

On Wednesday, October 9, 2024 at 12:53:26 PM PDT, Anne Cooper <acooper@valleywater.org> wrote:

Good afternoon, Mr. Kim,

Thank you for your email.

This email is to inform you that we will be reinstating your mother in the Low-Income Senior Exemption program effective immediately and concurrently, we're in the process of notifying the County Assessor's Office to remove the Safe Clean Water charge from your mother's property tax bill. The County Assessor's Office will send a revised property tax bill. The process to correct tax bills does take some time for the County to process; it could be weeks until a revised tax bill is sent. Please note that if you do not receive your revised property tax bill before the next due date, you should pay your current property tax bill, so you are not penalized. The revised property tax bill will exclude Safe, Clean Water special parcel tax.

To remain in the Low-Income Senior Exemption program and maintain your exemption, your annual household income cannot EXCEED the annual income threshold amount. We mail out postcards annually to our Seniors for them to notify us if the household income level is greater than the threshold amount. In the future, *do not return the postcard if your income is less than the income threshold amount.*

Regards

ANNE COOPER

Safe, Clean Water Low-Income Senior Parcel Tax Exemption

SeniorExemption@valleywater.org

Tel. (408) 630-2810

YOUR TAX DOLLARS AT WORK



SANTA CLARA VALLEY WATER DISTRICT

5750 Almaden Expressway, San Jose CA 95118

www.valleywater.org

Clean Water · Healthy Environment · Flood Protection

From: kim22276 <[REDACTED]>
Sent: Tuesday, October 8, 2024 11:55 AM
To: Anne Cooper <ACooper@valleywater.org>
Subject: Re: LISE Parcel Tax postcard

***** 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. *****

This "open" postcard did not come from this address, [REDACTED], Milpitas, CA 95035. My name is Ok Sun Kim. You have my first and last names reversed. My husband passed away before 2023.

Moreover, my income is no where near that amount.

My income is around what it was when I "finally" was approved.

See attached my proof of income for 2024.

It appears as though your department is very creative in coming up with excuses to collect parcel taxes from those seniors who is not knowledgeable about the parcel taxes due to language difficulties and the like.

REVERSE the parcel taxes in 2024 and the PREVIOUS years. See attached my original complaint in 2019.

This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

On Tuesday, October 8, 2024 at 11:18:19 AM PDT, Anne Cooper <acooper@valleywater.org> wrote:

Hello Richard,

Attached is the postcard (front and back) that we received indicating that your household income was greater than the threshold amount of \$68,663.

Regards,

ANNE COOPER

Management Analyst II (Temp)
Financial Planning & Revenue Collection Unit
acooper@valleywater.org
Tel. (408) 630-3710

Water Revenue Tel. (408) 630-2770

Valley Water now accepts online payments, available here: <https://delivr.com/2vqcm>.



Scan the QR to learn more.
<https://delivr.com/2vqcm>

SANTA CLARA VALLEY WATER DISTRICT
5750 Almaden Expressway, San Jose CA 95118



County of Santa Clara
 Department of Tax and Collections
 110 West Tasman Drive
 San Jose, California 95134

SECURED PROPERTY TAX BILL
TAX YEAR: 2023-2024
 for July 01, 2023 through June 30, 2024

ASSESSEE NAME WITHHELD PER
 CALIFORNIA GOVERNMENT CODE SECTION 7928.205

MAILING ADDRESS INFORMATION WITHHELD
 ONLINE ONLY

TAX BILL INFORMATION

PROPERTY ADDRESS:

MILPITAS CA 95035

BILL ID: [REDACTED]
BILL SUFFIX: 00
TAX RATE AREA: 012-003

BILL CREATED: 09/13/2023

ASSESSEE AS OF 12:01AM, JANUARY 1, 2023 LIEN DATE:

SEC-REG-202208

216947

CONTACT INFORMATION

Department of Tax and Collections: <https://www.sccdta.org>
 scctax@fin.sccgov.org (408) 808-7900

Office of the Assessor: <https://www.sccassessor.org>
 rp@asr.sccgov.org (408) 299-5300

Special Assessments: <https://www.sccgov.org/SA>

SUMMARY OF TAXES

Assessed Value of the Property	\$159,412
Less Exemption	7,000
Net Assessed Value	\$152,412
Taxes Due	\$1,771.26
Special Assessments	108.90
Total Amount Due	\$1,880.16
Penalties, Cost, Returned Payment Fee	\$0.00
Less Amount Paid	0.00
Current Amount Due	\$1,880.16

(DETAILS OF TAX CALCULATIONS ARE ON THE REVERSE SIDE)

IMPORTANT MESSAGES

For an explanation of key areas on your bill, please visit www.sccdta.org/tbe. Consult your tax preparer for details regarding deductions. DTAC accepts partial payments. GO GREEN! Sign up at www.sccassessor.org/register to receive your property tax bill electronically. For Proposition 19 information please go to www.sccassessor.org/prop19

PAY ELECTRONICALLY

<https://payments.sccgov.org/propertytax>

Visit www.WhereDoTaxesGo.org for tax distribution details.

Sign up to receive email reminders for important announcements related to your property tax bills at: www.sccdta.org/subscribe

2023-2024 COUNTY OF SANTA CLARA SECURED PROPERTY TAXES - 2ND INSTALLMENT

SEC-REG-202208
216947

20230913/20241126

2

ASSESSEE NAME WITHHELD PER
 CALIFORNIA GOVERNMENT CODE SECTION 7928.205
 386 DONAHE DR
 MILPITAS CA 95035

APN: [REDACTED]

MAKE CHECKS PAYABLE TO: SCC DTAC
 Please write your APN and installment number on your check.

DUE BY: February 01, 2024
 DELINQUENT AFTER April 10, 2024

MAIL TO: DEPARTMENT OF TAX AND COLLECTIONS
 110 WEST TASMAN DRIVE
 SAN JOSE, CA 95134

Amount Due \$940.08

\$1,054.08 if not paid by 04/10/2024.
 Includes 10% penalty and \$20.00 cost.

2023-2024 COUNTY OF SANTA CLARA SECURED PROPERTY TAXES - 1ST INSTALLMENT

SEC-REG-202208
216947

20230913/20241126

1

ASSESSEE NAME WITHHELD PER
 CALIFORNIA GOVERNMENT CODE SECTION 7928.205
 386 DONAHE DR
 MILPITAS CA 95035

APN: [REDACTED]



MAKE CHECKS PAYABLE TO: SCC DTAC
 Please write your APN and installment number on your check.

DUE BY: November 01, 2023
 DELINQUENT AFTER December 10, 2023

MAIL TO: DEPARTMENT OF TAX AND COLLECTIONS
 110 WEST TASMAN DRIVE
 SAN JOSE, CA 95134

Amount Due \$940.08

\$1,054.08 if not paid by 12/10/2023.
 Includes 10% penalty and \$20.00 cost.

CALCULATION OF TAXES for APN: 028-14-042-00
TAX YEAR: 2023-2024 for July 01, 2023 through June 30, 2024

ASSESSED VALUES		DETAIL OF TAXES			
		TAXING AGENCY	VALUE	RATES (%)	AMOUNT
LAND	44,164	LAND, IMPROVEMENTS, PERSONAL PROPERTY			
IMPROVEMENTS	115,248	1% MAXIMUM LEVY	152,412	1.000000	1,524.12
TOTAL LAND AND IMPROVEMENTS	159,412	CO BOND 2008 HOSP FAC	152,412	0.005500	8.38
PERSONAL PROPERTY	0	CO LIBRARY RETIREMENT	152,412	0.002400	3.65
TOTAL ASSESSED VALUE	159,412	CO RETIREMENT LEVY	152,412	0.038800	59.13
LESS HOMEOWNER'S EXEMPTION	7,000	CO. HOUSING BOND 2016	152,412	0.009500	14.47
LESS OTHER EXEMPTION		COMM COLLEGE BONDS	152,412	0.026700	40.69
NET ASSESSED VALUE	\$152,412	ELEM OR UNIF SCH BONDS	152,412	0.075000	114.30
		TOTAL ASSESSED VALUE TAXES		1.157900	1,764.74
		LAND AND IMPROVEMENTS			
		SCVWD-STATE WATER PROJ	159,412	0.004100	6.53
		TOTAL LAND & IMPROVEMENT TAXES		0.004100	6.53
		Rounding Adjustment of -0.01 made to create two equal installments			-0.01
				TAXES DUE	\$1,771.26

Note: Tax amounts less than 0.01 are truncated per CA R&T code 2152

Taxpayers can request a copy of an itemized list of each bond on their bill or the tax distribution by calling (408) 808-7900, or may visit our website to review and print a copy at <https://payments.sccgov.org/propertytax>

PARCEL TAX / SPECIAL ASSESSMENTS				
SA#	TAXING AGENCY	NAME	CONTACT	AMOUNT
0847	SANTA CLARA COUNTY-VECTOR CTRL	SCCO VECTOR CONTROL	800-273-5167 x105	5.08
0848	SANTA CLARA COUNTY-VECTOR CTRL	MOSQUITO ASMT #2	800-273-5167 x105	9.28
0851	SANTA CLARA COUNTY-LIBRARY JPA	LIBRARY JPA CD 2013-1	408-293-2326 x3004	33.66
0883	SANTA CLARA VALLEY WATER DIST	FLOOD CTL DEBT-EAST	408-630-2810	12.88
*0980	SF BAY RESTORATION AUTHORITY	MEASURE AA	888-508-8157	12.00
0990	SANTA CLARA VLLY OPEN SPACE AUTH	SCVOSA ASMT # 1	800-273-5167 x105	12.00
1020	SANTA CLARA VLLY OPEN SPACE AUTH	SCVOSA MEASURE T	800-273-5167 x105	24.00
		TOTAL		\$108.90

INSTALLMENT 1	
DUE DATE	11/01/2023
DELINQUENT AFTER	12/10/2023
TAXES AND SPECIAL ASSESSMENTS	\$940.08
10% DELINQUENT PENALTY	0.00
DELINQUENT COST	0.00
RETURNED PAYMENT FEE	0.00
LESS AMOUNT PAID	0.00
TOTAL INSTALLMENT AMOUNT	\$940.08

INSTALLMENT 2	
DUE DATE	02/01/2024
DELINQUENT AFTER	04/10/2024
TAXES AND SPECIAL ASSESSMENTS	\$940.08
10% DELINQUENT PENALTY	0.00
DELINQUENT COST	0.00
RETURNED PAYMENT FEE	0.00
LESS AMOUNT PAID	0.00
TOTAL INSTALLMENT AMOUNT	\$940.08

* Exemptions may be available for seniors and/or homeowners who meet eligibility requirements. Contact the specific agency above or go to www.sccdtaac.org/pte for more information.

SEC-REG-202208 216447 20230913/20241126

GO GREEN! Sign up at <https://www.sccassessor.org/register> to receive your property tax bill electronically.

<p>ONLINE PAYMENTS</p> <p>https://payments.sccgov.org/propertytax</p> <p>There is no fee if you pay by electronic check. Credit card convenience fee amounts are detailed on the website.</p>	<p>MOBILE PAYMENTS</p> <p>Pay your property taxes using a smartphone or tablet.</p> <p>Use our new mobile app SCC DTAC to pay your property tax bill. Available for devices using iOS and Android operating systems.</p> <p>Available on the </p>	<p>IN-PERSON PAYMENTS / QUESTIONS</p> <p>Department of Tax and Collections 110 West Tasman Drive San Jose, CA 95134</p> <p>Phone: (408) 808-7900, Email: scctax@fin.sccgov.org</p> <p>Monday-Friday: Office Hours 8:00 a.m. to 5:00 p.m. Phone Hours: 9:00 a.m. to 4:00 p.m.</p> <p>Second installment payment must be received in our office by 5:00 p.m. on APRIL 10, 2024.</p>
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PAYMENTS BY MAIL

Use the envelope provided and return the coupon with your payment and include your Assessor's Parcel Number (APN) on your check or money order. A charge of \$85 will be added for every payment returned unpaid. Penalties will apply if taxes are not paid by the delinquency date.

Property tax payments must be received or postmarked in a United States Postal Service (USPS) office by the delinquency date of April 10, 2024. However, if the delinquency date falls on Saturday, Sunday, or County holiday, payments must be made the next business day. If payments are received after the delinquency date with no postmark, penalties will be imposed in accordance with State law. Metered postage dates do not qualify as USPS postmarks. If your payment is received after the delinquency date, you must provide proof that payment was postmarked by the USPS on or before the delinquency date.

Payments made using a Private Delivery Service should be delivered to the address shown on the front of this coupon. Payment received date is the date shown by the private delivery service on the packing slip or air bill attached to the outside of the envelope or package containing the remittance. For a list of authorized private delivery services, visit our website at www.sccdtaac.org/pds.

GO GREEN! Sign up at <https://www.sccassessor.org/register> to receive your property tax bill electronically.

<p>ONLINE PAYMENTS</p> <p>https://payments.sccgov.org/propertytax</p> <p>There is no fee if you pay by electronic check. Credit card convenience fee amounts are detailed on the website.</p>	<p>MOBILE PAYMENTS</p> <p>Pay your property taxes using a smartphone or tablet.</p> <p>Use our new mobile app SCC DTAC to pay your property tax bill. Available for devices using iOS and Android operating systems.</p> <p>Available on the </p>	<p>IN-PERSON PAYMENTS / QUESTIONS</p> <p>Department of Tax and Collections 110 West Tasman Drive San Jose, CA 95134</p> <p>Phone: (408) 808-7900, Email: scctax@fin.sccgov.org</p> <p>Monday-Friday: Office Hours 8:00 a.m. to 5:00 p.m. Phone Hours: 9:00 a.m. to 4:00 p.m.</p> <p>First installment payment must be received in our office by 5:00 p.m. on DECEMBER 10, 2023.</p>
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PAYMENTS BY MAIL

Use the envelope provided and return the coupon with your payment and include your Assessor's Parcel Number (APN) on your check or money order. A charge of \$85 will be added for every payment returned unpaid. Penalties will apply if taxes are not paid by the delinquency date.

Property tax payments must be received or postmarked in a United States Postal Service (USPS) office by the delinquency date of December 10, 2023. However, if the delinquency date falls on Saturday, Sunday, or County holiday, payments must be made the next business day. If payments are received after the delinquency date with no postmark, penalties will be imposed in accordance with State law. Metered postage dates do not qualify as USPS postmarks. If your payment is received after the delinquency date, you must provide proof that payment was postmarked by the USPS on or before the delinquency date.

Payments made using a Private Delivery Service should be delivered to the address shown on the front of this coupon. Payment received date is the date shown by the private delivery service on the packing slip or air bill attached to the outside of the envelope or package containing the remittance. For a list of authorized private delivery services, visit our website at www.sccdtaac.org/pds.