



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

March 27, 2026

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

Page	<u>CEO BULLETIN & NEWSLETTERS</u>
	CEO Bulletin: None
	<u>BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS</u>
	BMR/IBMR Weekly Reports: None
3	Memo from Jennifer Codianne, Deputy Operating Officer, to Melanie Richardson, Interim Chief Executive Officer, dated 03/19/26, providing the Final Subsequent Environmental Impact Report for the Stream Maintenance Program (SMP) Renewal.
5	Memo from Sheryl Higa, Risk Manager, to the board, dated 03/24/26, submitting Risk Management Unit communication.
	<u>INCOMING BOARD CORRESPONDENCE</u>
24	Board Correspondence Weekly Report: 3/25/26
25	Thank you note from the Morgan Hill Leadership to Director Varela for presenting on Valley Water and for being a responsible steward of water resources. BC-26-0029
26	Email from Creekside Place HOA to the board, dated 03/24/26, expressing concern regarding encampments and hazardous activity on Valley Water property adjacent to their property. BC-26-0030
	<u>OUTGOING BOARD CORRESPONDENCE</u>
35	Email from Director Ballard to Eric Heckman, dated 03/19/26, responding to their concerns about the drainage and fences at their property.
39	Email from the Board to Pham Nguyen, dated 03/20/26, responding to their email regarding the recent report regarding the separation agreement with the former CEO of Valley Water.

BOARD MEMBER REQUESTS and Informational Items



MEMORANDUM

FC 14 (01-02-07)

TO: Melanie Richardson, P.E.
Interim Chief Executive Officer

FROM: Jennifer Codianne
Deputy Operating Officer

SUBJECT: Non-Agenda Item – Final Subsequent
Environmental Impact Report for the Stream
Maintenance Program (SMP) Renewal

DATE: March 19, 2026

Valley Water has prepared a Final Subsequent Environmental Impact Report (SEIR) for the proposed Stream Maintenance Program (SMP or Program) Renewal in fulfillment of its responsibilities as Lead Agency under the California Environmental Quality Act (CEQA)¹ (State Clearinghouse No. 2000102055).

The SMP Renewal will allow Valley Water to continue conducting routine stream maintenance activities necessary to maintain flood conveyance infrastructure throughout Santa Clara County. Primary maintenance activities under the Program Renewal include sediment removal, vegetation management, bank stabilization, management of animal conflicts, minor maintenance, and downed tree management.

The Program Renewal is subject to CEQA because it requires discretionary approval by the Valley Water Board of Directors and involves activities undertaken by a public agency that may result in direct or reasonably foreseeable indirect physical changes to the environment. The Final SEIR, including the Executive Summary, is being submitted to the Board for informational purposes in advance of the scheduled for April 28, 2026, Board meeting.

Although the SMP is an ongoing program with an indefinite duration, the prior SMP-2 Manual and prior Final SEIR evaluated a 10-year planning period (2014 through 2023) to forecast activities and potential environmental effects. In 2023, Valley Water obtained extensions from regulatory agencies for permits originally set to expire that year; these extensions are currently valid through 2026. The proposed Program Renewal, including the updated SMP Manual and SEIR, establishes a new 10-year planning period from 2027 through 2036 and is intended to fully replace the SMP-2 Manual and its supporting documents.

Consistent with CEQA requirements, Valley Water has prepared the Final SEIR, which is provided for the Board's review in advance of consideration of certification and Program approval. A Draft SEIR was prepared to inform the public, responsible agencies, and trustee agencies with information about the potential environmental effects associated with adoption and implementation of the updated Program. The Draft SEIR was circulated for public review from July 21, 2025, through September 17, 2025. Two comment letters were received on the Draft SEIR from the Central Coast Regional Water Quality Control Board and San Francisco Bay Regional Water Quality Control Board. The comment letters, along with Valley Water's responses, are included in Chapter 3 of the Final SEIR.

As described in the Final SEIR, implementation of the SMP Renewal could result in significant impacts in the areas of aesthetics, air quality, biological resources, greenhouse gas emissions, hazards and hazardous materials, noise, water quality, and cumulative impacts. With implementation of mitigation

¹ Public Resources Code Section 21000 et seq. and CCR Title 14 Code of Regulations Section 15000 et seq.

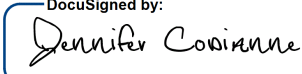
measures, all impacts would be reduced to a less-than-significance level, with the exception of certain program-level and/or cumulative impacts related to biological resources (specifically, potential interference with native wildlife nursery sites), and noise (potential exceedances of certain noise and vibration thresholds), which were identified as significant and unavoidable.

Prior to considering Program approval, CEQA requires that the Board review and consider the Final SEIR; certify that the Final SEIR was prepared in compliance with CEQA requirements; adopt a Mitigation Monitoring and Reporting Program (MMRP), make findings for each significant impact; and adopt a Statement of Overriding Considerations for the impacts determined to be significant and unavoidable. At the April 28, 2026, Board meeting, the Board will be asked to consider these actions, as well as approval of the Program.

Electronic copies are available below:

Executive Summary of Final SEIR: <https://fta.valleywater.org/fl/cRTwpt3HbQFD>

Complete Final SEIR: <https://fta.valleywater.org/fl/kWT3yqdXHhgD>

DocuSigned by:

B76805F5A810443...
Jennifer Codianne
Deputy Operating Officer
Operations and Maintenance Division

cc: J. Jankovitz, B. Williams, CEQA Administrative Record

TO: Board of Directors

FROM: Sheryl Higa

SUBJECT: Risk Management Unit Communication

DATE: March 24, 2026

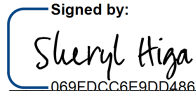
The purpose of this memorandum is to provide you with a copy of the recent Risk Management staff's communication with parties/individuals that have filed a claim against Valley Water.

Please find the following:

- 1) March 5, 2026 – Claim Settlement letter to Bilal Abbas obo Bibz and Ribz (District 4).
- 2) March 10, 2026 – Receipt of Claim Letter to Chao Wang and Yan Zheng (District 5).
- 3) March 12, 2026 – Late Claim Letter to Velia Mariscal.
- 4) March 19, 2026 – Claim Settlement letter to Yu T. and Cindy H. Wang (District 5).

For additional information, please contact me at 408-630-2213.

Signed by:


069EDCC6E9DD486

Sheryl Higa
Risk Manager
Risk Management Unit



Clean Water • Healthy Environment • Flood Protection

March 5, 2026

Bibz n Ribz LLC
Bilal Abbas
5231 Roeder Road
San Jose, CA 95111

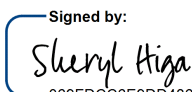
Re: Settlement – L2560001

Dear Mr. Abbas:

Enclosed is the final settlement check regarding the above-mentioned claim. The total amount of the settlement is \$42,000.00.

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

Sincerely,

Signed by:

069FDCC6E9DD486...
Sheryl Higa
Risk Manager
Risk Management Unit

Enc: Settlement Check #729565





Clean Water • Healthy Environment • Flood Protection

March 10, 2026

Chao Wang
Yan Zheng
1185 Buttercup Ter.
Sunnyvale, CA 94086

Re: Receipt of Claim – L2560008

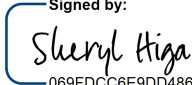
Dear Chao and Yan:

We received your claim on March 9, 2026, regarding your property located at 1185 Buttercup Terrace in Sunnyvale that was affected by the El Camino storm drainage debris blockage.

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) 630-2213 or at shiga@valleywater.org.

Sincerely,

Signed by:

069FDCC6E9DD486...
Sheryl Higa
Risk Manager
Risk Management Unit





CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT

California Government Code Sections 900 and following

Page 1 of 2

The completed form can be mailed, sent electronically or hand delivered. Mail or deliver to: Clerk of the Board Santa Clara Valley Water District-HQ 5700 Almaden Expressway San Jose, CA 95118 Or submit the completed form electronically to: clerkoftheboard@valleywater.org	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">Clerk of the Board's Date Stamp</th> </tr> <tr> <th colspan="2" style="text-align: center;">For SCVWD Use Only</th> </tr> <tr> <td style="width: 50%;">Date Received: 03/09/26</td> <td style="width: 50%; text-align: center;">ROUTING</td> </tr> <tr> <td>Via U.S. Mail</td> <td style="text-align: center;">☒ CEO</td> </tr> <tr> <td>Hand Delivered</td> <td style="text-align: center;">☒ District Counsel</td> </tr> <tr> <td>☒ Email</td> <td style="text-align: center;">☒ Risk Management</td> </tr> <tr> <td>Other: _____</td> <td style="text-align: center;">☒ COB</td> </tr> <tr> <td></td> <td style="text-align: center;">☒ BOD (District #): <u>5</u></td> </tr> </table>	Clerk of the Board's Date Stamp		For SCVWD Use Only		Date Received: 03/09/26	ROUTING	Via U.S. Mail	☒ CEO	Hand Delivered	☒ District Counsel	☒ Email	☒ Risk Management	Other: _____	☒ COB		☒ BOD (District #): <u>5</u>
Clerk of the Board's Date Stamp																	
For SCVWD Use Only																	
Date Received: 03/09/26	ROUTING																
Via U.S. Mail	☒ CEO																
Hand Delivered	☒ District Counsel																
☒ Email	☒ Risk Management																
Other: _____	☒ COB																
	☒ BOD (District #): <u>5</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: Chao Wang / Yan Zheng		Email Address: [REDACTED]	
Address of Claimant: [REDACTED]	City: [REDACTED]	State: [REDACTED]	Zip: [REDACTED]
Address to which Notices should be sent, if different from above:	City:	State:	Zip:
Home Phone Number:	Cell Phone Number: [REDACTED]	Work Phone Number:	
Is this claim being filed on behalf of a minor? Yes ☐ No ☒		If so, please indicate minor's date of birth: Relationship to the minor:	
Date and time of incident or loss: Oct 13, 2025	Location of incident or loss (address): 1185 Buttercup Ter. Sunnyvale, CA 94086	Is there a police report? Yes If Yes, Police Report Case #: ☒	

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*):

On October 13, 2025 during a rain, the drainage canal running parallel to the property building overflowed and flooded several townhouses (see attached map), one of which is our home 1185 Buttercup Ter., a 3-story townhouse that has one bedroom, a full bathroom, a closet and a hallway on the ground floor.

One of the owners in our building called 911 when the water came in. An emergency team came to clean up the blockage at the subterranean entrance, but it's already too late to prevent water from flowing into the building, including our unit. Approximately 2" of water accumulated on the first floor of our home. We worked overnight to remove as much water as possible and to begin mitigating the damage. As a result of the flooding, we also had to cancel our previously planned vacation in following weeks in order to deal with the aftermath.

The overflow was due to a buildup of leaves, branches and other debris at the narrow entrance to the subterranean under Lawrence Expressway/Willow Ave. The debris buildup obstructed the canal's flow capacity during the rain event. This condition indicates that the overflow was directly caused by lack of proper maintenance of the drainage canal, particularly at the subterranean entrance at Lawrence Expressway/Willow Ave.

As the owners of 1185 Buttercup we are respectfully seeking full reimbursement for all the costs associated with the canal water overflow incident, which we have personally paid out of pocket, for the total of \$3361.14.



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*):

1. Restoration (done by SOTC Inc). See attached SOTC Invoice to 1185 Buttercup
 - Drywall Repair \$2100.00
 - Carpet & Pad Installation & Labor and materials \$1200.00
 - Total ----- \$3300.00
2. Extra electricity consumption (billed by PG&E to 1185 Buttercup)
(24h/day drying for 1+ week by heavy drying machines)
 - Regular PG&E monthly bill for electricity \$60.42
(See attached PG&E 9/17/2025 - 10/15/2025 bill, page 5)
 - Bill for the month during flooding drying period \$121.56
(See attached PG&E 10/16/2025-11/16/2025 bill, page 3)
 - Difference ----- \$61.14

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

Chao Wang - Owner; 1185 Buttercup Ter.; [REDACTED] (actively involved)
 Yan Zheng - Owner; same; [REDACTED] (actively involved)

(Other witness/neighbor available upon request)

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?
 Court Jurisdiction: (Check One)

☒ **Yes**
 Limited Civil

☐ **No**
 Unlimited Civil

ITEMS	CLAIM AMOUNT
1. Restoration work (done by SOTC Inc.), Invoiced to 1185 Buttercup Ter.	\$ 3300.00
2. Electricity PG&E Billing	\$ 61.14
3.	\$
4.	\$
TOTAL AMOUNT	\$ 3361.14

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

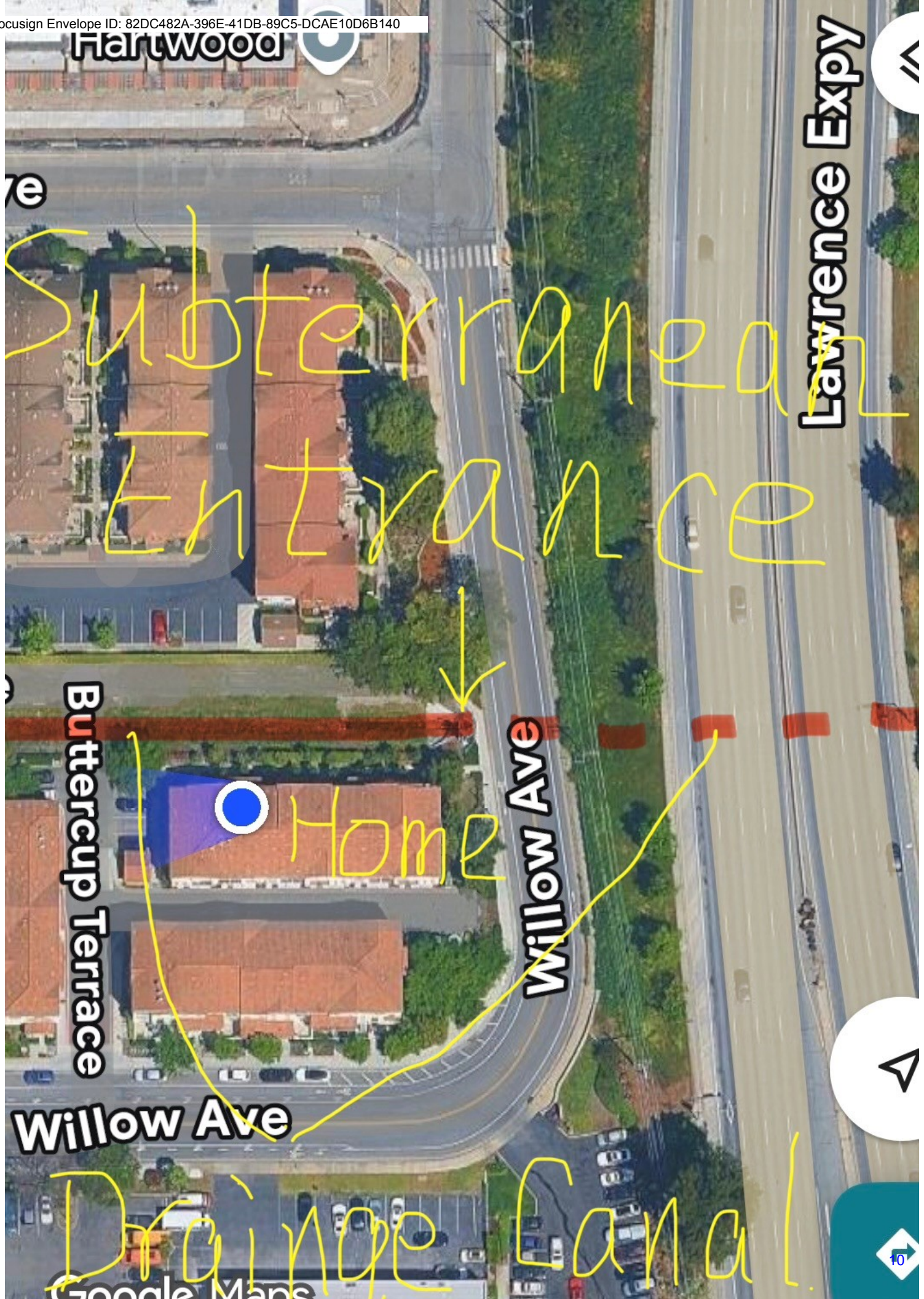
I have read the matters and statements made in the above claim and I know the same to be true of my own knowledge, except to those matters stated upon information and belief and as to such matters I believe the same to be true. I certify under penalty of perjury that the foregoing is TRUE and CORRECT.

Signed this 6th day of March, 2026

Chao Wang/Yan Zheng
 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.



Hartwood

Lawrence Expy

ze

Buttercup Terrace

Willow Ave

Willow Ave

Home

Drainage Canal



Superb On Time Construction Inc.

Licensed • Insured • Bonded

4486 Ariel Avenue, Fremont, CA 94555

License No:B#1078061 • Contact: (510) 938-2767

To:
Chao Wang
1185 Buttercup Terrace
Sunnyvale, CA 94086
Date: 11/15/2025

Description of Services

Description	Details	Cost
Carpet Installation & Pad Installation	Labor and materials	\$1,200.00
Drywall Repair (carried over)	—	\$2,100.00

Grand Total Calculation

Total Project Cost:
 $\$1,200.00 + \$2,100.00 = \$3,300.00$
Payments Received:
\$0.00

 **TOTAL AMOUNT DUE: \$3,300.00**

Payment Terms

- **All payments must be received after completion of the work.**
- Payment must be made within **24 hours** after completion.
- If payment is not received within this timeframe, **late charges** will be automatically added.
- Accepted payment methods: **Zelle** or **Check**.
- For any questions, please feel free to contact us.

11/17/25, 1:00 AM

Pay - chase.com

Send money with

S

Superb On Time Construction 408-836-2175

Registered as SUPERB ON TIME CONSTRUCTION INC, FREMONT, CA

Business account

Zelle ID active since May 2024

Superb On Time Construction received your money.

We update
your
account
activity with

Amount	Pay from
\$3,300.00	CPC CHECKING [REDACTED]
Send on	Message to recipient
Nov 17, 2025	Payment from 1185 Buttercup Restoration
payments on the send-on date.	Transaction number
Status	26991353732
Delivered	

Earn up to
\$750

Get business checking, now with built-in invoicing

With Chase Business Complete Checking®, you can now access our new invoicing feature that lets you easily create digital invoices. Plus, you can earn up to \$750 with qualifying activities.

[Open account >](#)

Superb On Time Construction Activity



Date sent	Status	Type	Amount
Nov 17, 2025	Delivered ⓘ	In moments ⓘ	\$3,300.00



ENERGY STATEMENT

www.pge.com/MyEnergy

Account No: [REDACTED]
Statement Date: 10/23/2025
Due Date: 11/13/2025

Service For:

CHAO WANG
1185 BUTTERCUP TER
SUNNYVALE, CA 94086

Questions about your bill?

Mon-Fri 7 a.m.-7 p.m.
Saturday 8 a.m.-5 p.m.
Phone: 1-800-743-5000
www.pge.com/MyEnergy

Ways To Pay

www.pge.com/waystopay

Your Account Summary

Amount Due on Previous Statement	\$53.54
Payment(s) Received Since Last Statement	-53.54
Previous Unpaid Balance	\$0.00
Current PG&E Electric Delivery Charges	\$60.42
Electric Adjustments	-58.23
Silicon Valley Clean Energy Electric Generation Charges	30.77
Current Gas Charges	8.09

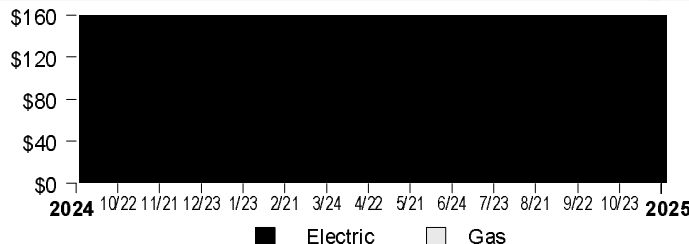
Total Amount Due by 11/13/2025 \$41.05



Current charges include a discount of \$58.23 for CA Climate Credit.

Monthly Billing History

Daily Usage Comparison



1 Year Ago Period	Last Period	Current Period
[REDACTED]	[REDACTED]	[REDACTED]
Electric kWh / Day		
[REDACTED]	[REDACTED]	[REDACTED]
Gas Therms / Day		
[REDACTED]	[REDACTED]	[REDACTED]

Important Messages

California is fighting climate change and so can you! Your bill includes a Climate Credit from a state program to cut carbon pollution while also reducing your energy costs. Find out how at cpuc.ca.gov/climatecredit.

Winter electric baseline season: The winter electric baseline season began on Oct 1. The total electric baseline quantities shown in your energy statement were calculated using daily winter baseline quantities. Any billing days in the billing period prior to Oct 1 were calculated with summer baseline quantities.

Continued on page 0

Please return this portion with your payment. No staples or paper clips. Do not fold. Thank you.



Account Number: [REDACTED] Due Date: 11/13/2025 Total Amount Due: \$41.05

Amount Enclosed:

\$ [REDACTED]

CHAO WANG
1185 BUTTERCUP TER
SUNNYVALE, CA 94086-7044

PG&E
BOX 997300
SACRAMENTO, CA 95899-7300



ENERGY STATEMENT

www.pge.com/MyEnergy

Account No: [REDACTED]
 Statement Date: 11/21/2025
 Due Date: 12/12/2025

Service For:

CHAO WANG
 1185 BUTTERCUP TER
 SUNNYVALE, CA 94086

Questions about your bill?

Mon-Fri 7 a.m.-7 p.m.
 Saturday 8 a.m.-5 p.m.
 Phone: 1-800-743-5000
 www.pge.com/MyEnergy

Ways To Pay

www.pge.com/waystopay

Your Account Summary

Amount Due on Previous Statement	\$41.05
Payment(s) Received Since Last Statement	-41.05
Previous Unpaid Balance	\$0.00
Current PG&E Electric Delivery Charges	\$121.56
Silicon Valley Clean Energy Electric Generation Charges	57.88
Current Gas Charges	13.91

Total Amount Due by 12/12/2025 \$193.35

Monthly Billing History

Daily Usage Comparison



1 Year Last Current
Ago Period Period

Electric kWh / Day

Gas Therms / Day

Visit www.pge.com/MyEnergy for a detailed bill comparison

Important Messages

The winter Tier 1 (baseline) season begins on November 1. Your baseline quantity will vary during the winter months. Your total Tier 1 quantities were calculated using your daily winter baseline allowance starting November 1 and your daily summer baseline allowance for any days in your billing period before November 1.

Please return this portion with your payment. No staples or paper clips. Do not fold. Thank you.



Account Number: [REDACTED] Due Date: 12/12/2025 Total Amount Due: \$193.35

Amount Enclosed:
 \$ [REDACTED]

CHAO WANG
 1185 BUTTERCUP TER
 SUNNYVALE, CA 94086-7044

PG&E
 BOX 997300
 SACRAMENTO, CA 95899-7300



Clean Water • Healthy Environment • Flood Protection

March 19, 2026

Yu T. Wang
Cindy H. Wang
21027 Comer Drive
Saratoga, CA 95070

Re: Settlement – L2560007

Dear Yu and Cindy:

Enclosed is the final settlement check regarding the above-mentioned claim. The total amount of the settlement is \$4,089.00.

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

Sincerely,

Signed by:
A blue ink signature of Sheryl Higa, enclosed in a blue rectangular box. Below the signature is the alphanumeric string "069FDCC6E9DD486...".

Sheryl Higa
Risk Manager
Risk Management Unit

Enc: Settlement Check #730172



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
BC-26-0030	03/24/26	03/24/26	All	TANYA RUIZ	Email from Creekside Place HOA to the board, dated 03/24/26, expressing concern regarding repeat encampment s and hazardous activity on Valley Water property adjacent to their property. BC-26-0030	Refer to Staff	Hakes	Bilski	04/01/26	-	n/a	04/07/26

Leadership Morgan
Hill Class of 2026

SAN JOSE CA 950

21 MAR 2026 PM 3 1



Received By

MAR 23 2026

Valley Water

John Varela

SCVWD Board Director

5750 Almaden Expressway

San Jose CA 95118



Dear John V,

Thank you for your time to present to Leadership
Morgan Hill about Valley Water. It is was engaging
and there are two precious commodities, time and water.
So thank you for both. Thank you for being
a good steward of the water resources. The
group was inspired to learn more and also
comment on your personal leadership of engagement
as a role model. Keep sharing for Water Resources. Sincerely,
Leadership Morgan Hill

From: [Tanya Ruiz](#)
To: Lam.Nguyen@sanjoseca.gov
Cc: [Board of Directors](#); [Christina Ramos](#); [Gabriel Martinez](#); [Joseph Torais](#); [Maria Garcia](#); trinni_999@yahoo.com
Subject: Creekside Place HOA/Valley Water
Date: Tuesday, March 24, 2026 2:24:47 PM
Attachments: [243 - SITE MAP.pdf](#)

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

Valley Water Board: Board@valleywater.org
Cohen's office: Lam.Nguyen@sanjoseca.gov

Email to Valley Water:

March 23, 2026

Subject: Urgent Public Safety Concern: Repeated Encampments, Trespassing, and Fire Risk

Dear Members of the Valley Water Board,

On behalf of the Creekside Place Homeowners Association, we write to express our serious and ongoing concern regarding repeated encampments and hazardous activity occurring on Valley Water property adjacent to our residential community.

Over the past three weeks, our HOA has reported multiple encampments along the Valley Water creek on N. Capitol Avenue. Despite prior clearings, we continue to experience persistent trespassing by an unhoused individual who repeatedly returns to the site. Most concerning, this individual has been starting fires, behavior that we believe constitutes arson and poses a significant and immediate threat to public safety.

Our neighborhood shares dense vegetation and mature trees across property lines, creating highly flammable conditions. These fires place our homes, families, and the surrounding natural environment at considerable risk. In the past two weeks alone, the Fire Department has responded to three incidents. The most recent occurred on the evening of Thursday, March 19, when firefighters were required to actively extinguish a fire at the site. The San José Police Department was also dispatched. The individual returned again on Sunday, March 21.

While we recognize the complexity of addressing homelessness with compassion and care, the current situation has escalated beyond a manageable level and now represents a clear and urgent safety hazard.

We respectfully request the following immediate actions:

- Increased monitoring and enforcement to prevent repeated trespassing on Valley Water property
- Repair and reinforcement of the existing fence, which is currently damaged and allows ongoing access to the site

Without swift and sustained intervention, we are deeply concerned that this situation could result in a major fire with devastating consequences.

We would welcome the opportunity to connect with Valley Water staff to discuss next steps and identify a coordinated approach to ensure the safety of our community.

Property map attached for point of reference.

Thank you for your prompt attention to this urgent matter.

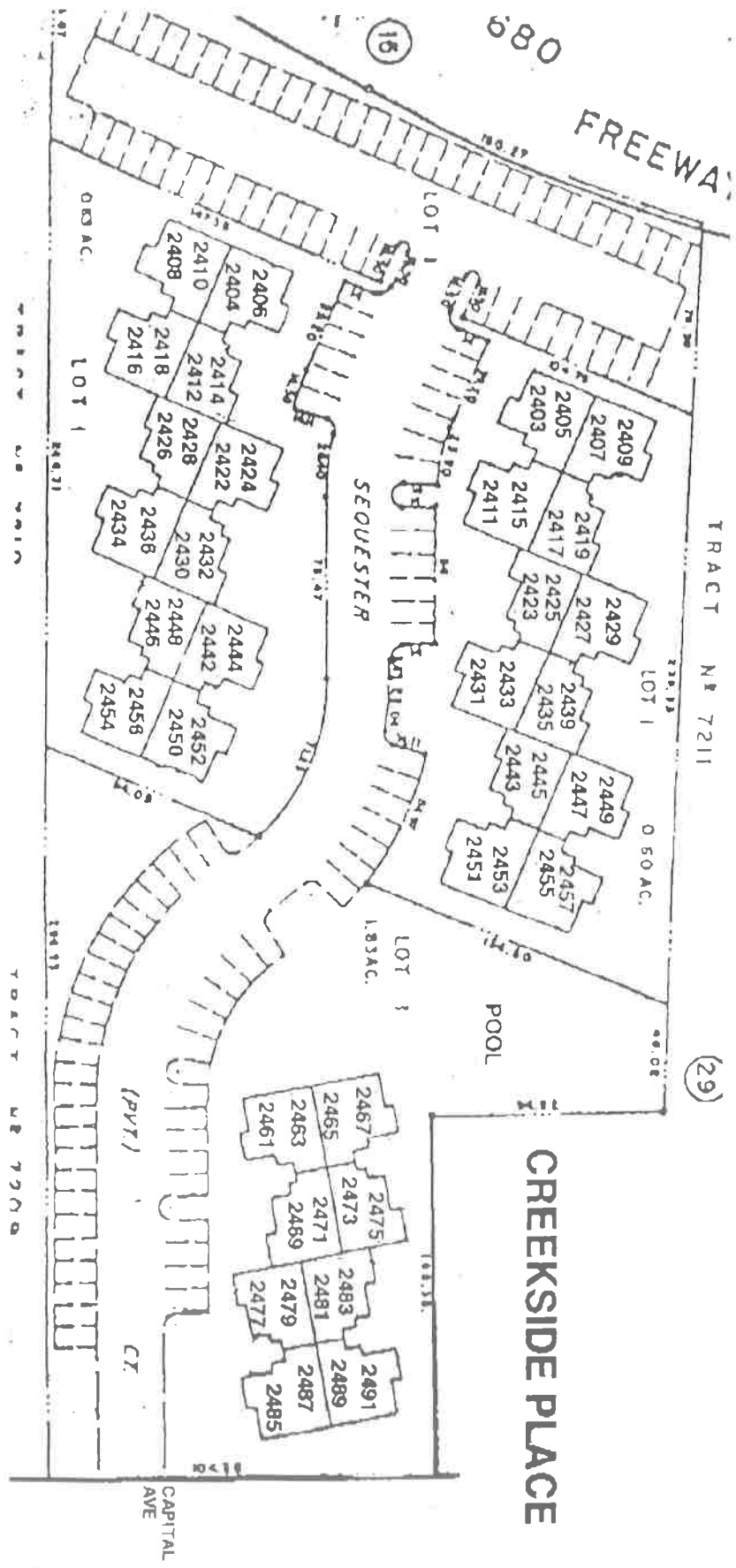
Sincerely,

Creekside Place Homeowners Association



Tanya Ruiz
Community Management Services, Inc
1935 Dry Creek Rd, Suite 203
Campbell, CA 95008
Phone 408-559-1977

CONFIDENTIALITY NOTICE: This e-mail communication and any attachments may contain proprietary and privileged information solely for the use of the designated recipients named above. 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.













OUTGOING BOARD CORRESPONDENCE

From: [Candice Kwok-Smith](#) on behalf of [Board Correspondence](#)
To: [Christopher Hakes](#); [Breanne Roderick](#); [Sally Castro](#)
Cc: [Board of Directors](#)
Subject: FW: Battle with the district over fence issues
Date: Thursday, March 19, 2026 11:06:13 AM

From: Shiloh Ballard <SBallard@valleywater.org>
Sent: Thursday, March 19, 2026 6:48 AM
To: [REDACTED]
Cc: Board Correspondence <boardcorrespondence@valleywater.org>
Subject: Re: Battle with the district over fence issues

Hi Eric,

Sorry about the delay in getting back to you but I've now met with staff and have some answers. Below is a response they put together after carefully looking into the issue. The upshot at this point is that once again, Mike can continue to help translate/navigate/move some of what is outlined below and be your go-between on this issue if things get stuck.

I know it's a pain to have to do another claim so apologies for that. Let me know how things go and let's try to get a ride on the books. Sierra was beautiful this past Monday.

Shiloh

+++

Thank you for reaching out to Valley Water and expressing your concerns about the drainage and fences at your property. We appreciate your patience as we evaluated your concerns. From your email you brought up three issues:

1. A claim that Valley Water's Contractor had damaged your side fence along the driveway to the Outdoor Classroom property:

Staff inspected that fence but were unable to verify the damage you had mentioned. Nonetheless, Valley Water Good Neighbor Program may be a good avenue to pursue cost recovery towards replacement of the side and rear fences. Additional information about the program could be obtained at <https://www.valleywater.org/contractors/doing-businesses-with-the-district/permits-working-district-land-or-easement/fence-cost-sharing>.

2. Drainage issues near the fence at the rear of your property:

Staff is evaluating the drainage concerns you raised and will be adjusting the grading of the

ground surface behind your fence which could help alleviate any ponding in this area. This work is anticipated to take a few weeks to complete.

3. Request for cost recovery to power wash your property:

Your claim in 2025 had multiple references to the 2017 flooding. As a result, Valley Water's Risk Manager interpreted it as relating to 2017 flooding and returned it because it was not presented within six (6) months after the occurrence as required by law. Please re-submit your claim for reimbursement for the power washing, clearly referencing the construction activities that occurred in 2024 and early 2025. In accordance with our policies, include documentation of the costs incurred and submit your claim to riskmanager@valleywater.org.

As always, please continue to coordinate your concerns or request through Mr. Mike Potter, Program Administrator at Valley Water (mpotter@valleywater.org) and should you need to discuss further please feel free to reach out to Ms. Bhavani Yerrapotu, Deputy Operating Officer overseeing the watershed construction projects at byerrapotu@valleywater.org.

From: Eric Heckman [REDACTED]
Sent: Wednesday, March 11, 2026 3:43 PM
To: Shiloh Ballard <SBallard@valleywater.org>
Cc: Michael Potter <MPotter@valleywater.org>
Subject: Re: Battle with the district over fence issues

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There are three issues.

1- during construction they often parked next to the post flood fence along the district driveway and at one point something attached to it fell off. I later realized a huge section, about 4 sections, have the staples coming out so something hit it hard. I can provide pictures of how close they parked

2 - I was told no need for our drain to go through the wall since it could drain as it was towards the driveway. However the final dirt level is a foot higher plus the bottom of the old rear fence is subterranean.

3 - the fence was done after the 97 flood but at the 20 year mark of 2017 flood it took a lot of damage. We waited until the flood wall was done to deal with it since at one point we were told at neighborhood meeting we would not have a rear fence but that went away. The district keeps putting posts behind our posts to prevent it falling over but lots of

sections the panels are falling out due to rot and flood damage.

I work during the week but Sierra is a great climb

Eric Heckman

(Do not use this email for Heckman Financial business)

Owen, Ethan & Aidan's Dad

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On Wed, Mar 11, 2026 at 17:10 Shiloh Ballard <SBallard@valleywater.org> wrote:

Hey Eric,

I'm meeting with staff tomorrow so they can update me on this issue so I hope to know a little more soon.

Also, I'm riding Sierra on Monday in the morning (not too early.) Care to join?

Shiloh

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From: Eric Heckman [REDACTED]
Sent: Friday, February 27, 2026 2:45:16 PM
To: Shiloh Ballard <SBallard@valleywater.org>
Cc: Michael Potter <MPotter@valleywater.org>
Subject: Battle with the district over fence issues

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Shiloh, Mike had tried to help me last year, and after I was denied, I didn't have the energy to fight the bureaucracy. There are two issues. One is the fence alongside the water district driveway, which was hit by one of the dozers they parked there for months. They denied it since I didn't have an exact date within 6 months. The construction was for 10 months. There are four sections or so where the nails are coming out after they hit it. I should have investigated when something came off the fence on our side but I didn't realize the cause.

The more critical one now is the rotting and decaying fence along the flood wall. It has been getting worse for years and they repeatedly took it out during construction and would stick pieces back in. They raised the level of the ground by over a foot without it ever being disclosed, This stopped allowing our drain to flow out. This drain was told to me by VW people to not be an issue with the wall yet I was not told the ground would be a foot higher. I dug my own hole back there so our yard would not flood. Now the rotting fence will rot faster since the bottom is subterranean. So many slats are out that our dog gets back there. The previous "fixes" have to keep adding a post behind our posts. I am considering just removing it and put in a dog fence from the flood wall to our neighbors rotting fence. Please let me know if you can help. My cell is [REDACTED]
[REDACTED]

Eric Heckman

(Do not use this email for Heckman Financial business)

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From: [Candice Kwok-Smith](#) on behalf of [Board Correspondence](#)
To: [Rachael Gibson](#); [Velia Mariscal](#); [Alina Hare](#)
Cc: [Board of Directors](#)
Subject: FW: Concern Regarding CEO Separation Agreement and Use of Ratepayer Funds
Date: Friday, March 20, 2026 1:45:28 PM

From: Candice Kwok-Smith **On Behalf Of** Board of Directors
Sent: Friday, March 20, 2026 1:41 PM
To: [REDACTED]
Subject: Re: Concern Regarding CEO Separation Agreement and Use of Ratepayer Funds

Sent on Behalf of the Board:

Dear Nguyen,

Thank you for taking the time to share your deep concern about the separation agreement we recently approved for the former CEO of Valley Water. We want to start by reassuring you that issues of this nature are not taken lightly, dismissed, or minimized. Now to the heart of the matter: you asked three specific questions, so we wanted to answer each of them below:

1. **Why was this separation agreement approved?** The short answer is that by doing so, we avoided years of costly litigation, costs that would ultimately fall on the shoulders of ratepayers, and we didn't want that. The longer answer is this: because of the CEO's contract, we only had three options to address the situation: 1. Terminate with cause. 2. Terminate without cause, meaning he gets paid for 6 months per his contract, or 3. He resigns and gets nothing. This is where it gets complicated: we chose not to terminate the CEO for cause for a number of reasons, not the least of which was the significant risk that he would sue us over a single Director's behavior that violated our policies. Because of that behavior, including her behavior toward our CEO over the last three years, Valley Water incurred significant legal liability, which could have resulted in years of protracted litigation. Consequently, in exchange for the CEO waiving most litigation claims against Valley Water (put simply, in exchange for his not suing most of us), the Board decided to pay the CEO an extra six months of severance pay in addition to the

six months to which he was already entitled in his contract, for a total of a year's worth of pay.

2. **How does this decision protect the interests of ratepayers?** By settling and paying only an additional 6 months of severance pay, we avoided years of potential litigation and millions upon millions in legal fees that would otherwise have been drawn from scarce reserves. This way, we minimized financial harm to the agency, and by extension, to ratepayers.
3. **What concrete steps is the Board taking to ensure stronger accountability and to prevent similar situations in the future?** First, we are going to take our time with the recruitment for our next permanent CEO, and we will have much greater employee participation than in past searches. Current plans include:
 1. Broader staff input on desired leadership qualities
 2. Involvement from Bargaining Unions and employees across units
 3. A more transparent and inclusive recruitment process
 4. Appointing a committee to the recruitment of next CEOThe goal is to identify a leader who aligns with the organization's mission, values, and commitment to a respectful workplace.

Secondly, our Board Audit Committee has been tasked with a full audit of the Board Appointed Officer investigation process to identify process improvements. Finally, our Interim CEO and her administration are evaluating which policies need to be updated, strengthened, or created anew, as well as any additional safeguards that may be needed to prevent harassment and retaliation and to better foster a workplace grounded in respect, safety, and accountability.

This decision was not an easy one to make. We understand that our decisions may affect not only our employees but also our broader community. Valley Water is fortunate to have members of the community who care deeply about these issues in the same way that we, as Directors, do.

Thank you again for reaching out and sharing your disappointment, Nguyen. We remain committed to our role that will include a vote on our next CEO, who will lead us into the next phase of Valley Water's history. In the meantime, feel free to reach out with any questions or comments in the future.

Sincerely,

Board of Directors

From: Nguyen Pham <

Sent: Wednesday, March 4, 2026 7:04 PM

To: Board of Directors <board@valleywater.org>

Cc: iq4rent sc [REDACTED]

Subject: Concern Regarding CEO Separation Agreement and Use of Ratepayer Funds

***** 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 Members of the Santa Clara Valley Water District Board,

My name is Nguyen, and I have been a resident of San Jose for over 15 years. As a long-time Santa Clara County ratepayer, I am deeply concerned about the recent reporting regarding the separation agreement with the former CEO of Valley Water. According to public reporting, following substantiated findings of sexual harassment, the former CEO stepped down with a separation package reportedly valued at over \$500,000. At the same time, the district is also paying an interim CEO.

As residents and ratepayers, we expect responsible stewardship of public funds. It is difficult to understand how paying a substantial separation package under these circumstances, while also paying an interim executive salary, reflects accountability to the public.

Water rates continue to increase across Santa Clara County. Many families are already feeling the impact of rising costs of living. In that context, decisions involving hundreds of thousands of dollars in ratepayer funds deserve clear explanation and justification.

As someone who has lived in San Jose for more than 15 years, I do not believe this situation is acceptable without greater transparency from the Board. I respectfully ask the Board to explain:

1. Why this separation agreement was approved?
2. How this decision protects the interests of ratepayers?
3. What concrete steps the Board is taking to ensure stronger accountability and prevent similar situations in the future?

Public agencies must hold themselves to the highest standards of integrity and fiscal responsibility. The residents of Santa Clara County deserve clear answers.

Thank you for your attention to this matter.

Sincerely,

Nguyen