



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

February 27, 2025

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>
3	BMR/IBMR Weekly Reports: 2/25/26
4	Memo from Sheryl Higa, Risk Manager, to the board, dated 02/24/26, providing Risk Management Unit communication.
	<u>INCOMING BOARD CORRESPONDENCE</u>
	Board Correspondence Weekly Report: None
18	Email from Teresa Hauger to Supervisor Arenas (copied to the board), dated 02/19/26, regarding a community petition opposing the AES Monterey Road Battery Project. BC-26-0010
20	Email from Kay Spiel to the board, dated 02/23/26, expressing disappointment with the board's decision regarding Valley Water's former CEO, Rick Callender. BC-26-0011
	<u>OUTGOING BOARD CORRESPONDENCE</u>
22	Email from Director Ballard to Jane O'Donnell dated 20/29/26, apologizing for the delayed response to her correspondence regarding construction on her street.

BOARD MEMBER REQUESTS and Informational Items

Report Name: Board Member Requests

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
IBMR-25-0009	12/18/25	Eisenberg	Gibson	Lugo	How much money (if any) Valley Water paid (donation or otherwise) to the following organizations (including affiliates, sub-groups and/or parent organizations) over the past 5 years: Council on American-Islamic Relations (CAIR), American Israel Public Affairs Committee (AIPAC), National Association for the Advancement of Colored People (NAACP), and Anti-Defamation League (ADL). Have we donated or provided funds to an Asian American/AAPR/Chinese-American/Vietnamese-American/Japanese-American/Korean-American/Taiwanese-American/Philippino-American/Singaporean-American/and etc. group like this as well?	01/07/26		01/29/26 Information Only: Estimated completion date is 2/13/26



MEMORANDUM

FC 14 (03-11-25)
Page 1 of 1

TO: Board of Directors

FROM: Sheryl Higa

SUBJECT: Risk Management Unit Communication

DATE: February 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) January 9, 2026 – Receipt of Claim to Yu T. and Cindy H. Wang (District 5).

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

Signed by:

A handwritten signature in blue ink that reads "Sheryl Higa". Below the signature is a horizontal line and a small, partially obscured alphanumeric string.

Sheryl Higa
Risk Manager
Risk Management Unit



Clean Water • Healthy Environment • Flood Protection

January 9, 2026

Yu T. Wang
Cindy H. Wang
[REDACTED]
Saratoga, CA 95070

Re: Receipt of Claim

Dear Yu and Cindy:

We received your claim on December 29, 2025, regarding your property located at 1189 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	Clerk of the Board's Date Stamp	
	For SCVWD Use Only	
	Date Received: 12/29/25	ROUTING
	☒ Via U.S. Mail	☒ CEO
	Hand Delivered	☒ District Counsel
	Email	☒ Risk Management
	Other: _____	☒ COB
	☒ BOD (District #) 5	

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: Yu T. WANG / Cindy H. WANG		Email Address: [REDACTED]	
Address of Claimant: [REDACTED]		City: [REDACTED]	State: [REDACTED]
Address to which Notices should be sent, if different from above:		City: [REDACTED]	State: [REDACTED]
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: 10/12-13/2025	Location of incident or loss (address): 1189 Buttercup Terrace Sunnyvale, CA 94086	Is there a police report? Yes If Yes, Police Report Case #: ☒ No ☐	

On Oct. 12-13, 2025 during heavy rains, the drainage canal running parallel to the property (See the attached site map) overflowed and flooded 6 townhouses, one of which is my rental property, #1189 Buttercup Terrace, a 3 story townhouse that has a bedroom and full bath on the ground floor, that is occupied.

The over flow was due to the build up of dirt, leaves, branches and other waste materials at the entrance of the subterranean at Lawrence Expressway. It is obvious that the overflow was caused directly by the lack of proper maintenance of the canal, especially at the entrance of the subterranean at Lawrence Expressway.

On 10/12/2025, the tenant who lives in the ground floor bedroom, called me, in tears and panic, crying "Water is coming from all directions into my room, help, help!" At that time, there was about 2" of water sitting on the ground floor. I called 911 who showed up shortly with rescue crew to work on the subterranean entrance. Water level then started to lower. After about 2 hours, the tenant called again when water level started to rise again. I called 911 again. The rescue team was dispatched again, who worked on the entrance for all night long.

I, as the owner of #1189 townhouse, am seeking reimbursement for all the costs associated with the canal water overflow, that I have paid out of my own pocket. Total: \$8,177.77



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):

Please refer to attached sheet for details of damages.

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

Yu Wang - Owner, 1189 Buttercup Terrace, [REDACTED] (actively involved)
 Cindy Wang - Owner. Same (actively involved)
 4 tenants - 1189 Buttercup Terrace, Sunnyvale, CA 94086 (phone and email 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 (by SOTC INC.), Invoice # 1189 Buttercup	\$5398.61
2. Rent reimbursement to tenants	\$2,330.00
3. Electricity (PG&E Billing)	\$349.16
4. Moving furniture	\$100.00
TOTAL AMOUNT	\$8177.77

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 12th day of December, 2025

Yu T. Wang / Cindy H. Wang
 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.

Damages & Loss

1. Restoration... S.O.T.C. Inc. (Invoice # 1189 Buttercup)

(1) Dry wall, insulation, texture, painting, based board	\$2,300.00
(2) Paint color matching	\$50.00
(3) Carpet & pad installation, (Labor and materials)	\$1,913.61
(4) Installation of vanity, sink, mirror & toilet	\$1,135.00
Total	\$5,398.61

Note: This work took about one month to complete. It was very noisy and distressful to the residents.

2. Reimbursement of Rent (to tenants)

(1) Ground floor bedroom (not available for occupancy)	\$1,280.00
(24 hours of heavy machine drying for 2 weeks for the ground floor bedroom. No sink and toilet to use).	
(2) Terrible distress for all tenant	\$1,050.00
(During the one month of restoration work, all residents suffered severe inconvenience and distress, \$'s to be shared among the other three residents).	
Total	\$2,330.00

Note: Regular Rent per month: \$5,220.00

3. Extra electrical energy (PG&E) consumption.....\$349.16 (24 hour drying for 2 weeks with heavy drying machines was costly).

Regular PG&E monthly bill	\$239.53
Bill for the flood drying period	\$588.69
Difference.....	\$349.16

← Actual bills
← attached.

4. Furniture relocation and back to ground floor bedroom.....\$100.00 (The ground bedroom tenant has expensive and heavy furniture, such as bed and dressers, that need to be moved the garage and/or upstairs during the drying and the restoration period. Two persons for 1.5 hours each, working together).

GRAND TOTAL\$8,177.77

Injury: No injury

Nov. 13, 2025

TO: Superb On Time Construction Inc.

Dear Mr. Vic,

Attached is my Check # [REDACTED] in an amount of \$5,398.61 to pay for your Invoice #1189 Buttercup dated Nov. 13, 2025 for flood restoration work at 1189 Buttercup Terrace, Sunnyvale, Ca, 94086.

Sincerely,



Yu T. Wang
Owner of property

CINDY H C WANG 1 ANG		[REDACTED]	
[REDACTED]		Nov. 13, 2025	Date
Pay to the Order of Superb on Time Construction INC.		\$5,398.61	
Five thousand three hundred ninety eight & 0.61		Dollars	
BANK OF AMERICA		Photo Safe Deposit Relate.com	
ACH R/T 121000358			
For Invoice # 1189 Buttercup 11/13/2025		Yu Tang Wang	
[REDACTED]			

From: Yu Wang
Subject: 1189 buttercup invoice
Date: November 13, 2025 at 9:52 AM
To:



Superb On Time Construction Inc

Licensed • Insured • Bonded
4486 Ariel Avenue, Fremont, CA 94555
License No:B#1078061 • Contact: (510) 938-2767

Invoice # 1189 Buttercup

To:
Cindy wang
1189 Buttercup Terrace, Sunnyvale, CA 94086
Date:-11/13/2025

Description of Services	Details	Cost
Drywall, Insulation, Texture, Painting, and Baseboard	Complete installation and finishing	\$2,300
Paint Color Match	Additional labor and materials for accurate color matching	\$50
Garage Installation & Pad		

Carpet installation & Pad Installation	Labor and materials	\$1,913.61
Installation of Sink, Vanity Mirror, and Toilet	Complete installation	\$1,135

Grand Total

 **TOTAL AMOUNT DUE: \$5,398.61**

Payment Terms

Payment must be received within 24 hours.

If payment is not received within this timeframe, the system will automatically add late charges.

Please make the payment via Zelle or check.

If you have any questions, feel free to contact us.

See More



November 30, 2025

To: Ms. Marlene Mporanyi
Ms. Chelsea Simmons
Ms. Rosa Gallardo
Mr. Graeme Isaak

RE: Reimbursement - Flood Damage - 2025

Enclosed please find three checks, as follows:

For rent reimbursements

Check # [REDACTED] \$1,280.00, payable to Ms. Simmons

Check # [REDACTED] \$1,050.00, Titled to Ms. Mporanyi, but to be shared among Marlene, Rosa and Graeme.

For PG&E reimbursement:

Check # [REDACTED] \$349.16, Titled to Ms. Mporanyi for sharing among all 4 tenants.

We are truly very sorry for what has happened, and thank you deeply for your admirable cooperation in this matter.

Truly,



Yu T. Wang
Owner

CINDY H C WANG
YU TANG WANG

11-35/1210 CA
89836

November 30, 2025
Date

Pay to the
Order of Chelsea Simmons \$ 1,280.00

One thousand two hundred eighty and 00/100 — Dollars

BANK OF AMERICA

ACH R/T 121000358 (RE: Flood damage 2025)
For Rent reimbursement Yu Tang Wang

Photo Safe Deposit Details on back

CINDY H C WANG
YU TANG WANG

11-35/1210 CA
89836

November 30, 2025
Date

Pay to the
Order of Marlene Mporanyi \$ 1050.00

One thousand fifty and 00/100 — Dollars

BANK OF AMERICA

ACH R/T 121000358 RE: Flood damage 2025
Rent reimbursement
For To be shared: Marlene/Rosa/Sraeme Yu Tang Wang

Photo Safe Deposit Details on back

CINDY H C WANG
YU TANG WANG

11-35/1210 CA
89836

November 30, 2025
Date

Pay to the
Order of Marlene Mporanyi \$ 349.16

Three hundred forty nine and 16/100 — Dollars

BANK OF AMERICA

ACH R/T 121000358 RE: Food damage - 2025
For PERE reimbursement Yu Tang Wang

Photo Safe Deposit Details on back

extra PG&E cost
(for Flood water drying)

Account Number:

Due Date:

11/13/2025

Total Amount Due:

\$239.53

189 BUTTERCUP TER
SUNNYVALE CA 94086-7044

Printed with



Account Number:

Due Date:

12/12/2025

Total Amount Due:

\$588.69

Amount Enclosed:

\$

029220022298 1 AV 0.593 112 1401 3



SUNNYVALE CA 94086-7044

PG&E
BOX 997300
SACRAMENTO, CA

Printed with Water Based inks on SFI

R E C E I P T

This is to acknowledge receipt of \$100.00 from Mr. Yu T. Wang for moving furniture from garage to the down stair bedroom at 1189 Buttercup Terrace, Sunnyvale, CA. 94086 on November 19, 2025, after rain storm flood restoration work was completed.


 Honorio Vaqueros
 Nov. 19, 2025

CINDY H C WANG YU TANG WANG		[Redacted]	
[Redacted]		Nov. 19, 2025	
		Date	
Pay to the Order of	HONORIO ZAGUEROS	\$ 100.00	
one hundred and 00/100		Dollars	
BANK OF AMERICA 			
ACHR/T 12100035B			
For	Moving Furnitures	Yu Tang Wang	
[Redacted]			

The community of Willow is located within the boundaries of top-rated California schools, community colleges and universities. In close proximity to award winning parks, recreation centers, shopping and entertainment, its Santa Clara County location can't be beat.

WILLOW



Legend



Plan 1



Plan 2



Reverse

INCOMING BOARD CORRESPONDENCE

Adelina Del Real

From: Teresa Hauger [REDACTED]
Sent: Thursday, February 19, 2026 10:18 AM
To: sylvia.arenas@bos.sccgov.org; victoria.lam01@bos.sccgov.org; district1@bos.sccgov.org
Cc: mark.turner@morganhill.ca.gov; robert.sapien@sanjoseca.gov; citycouncil@morganhill.ca.gov; board@caltrain.com; District2@sanjoseca.gov; John Varela; Board of Directors; oempio@oem.sccgov.org; batteryplant@csmh.org
Subject: URGENT: 1,200 Signatures in 48 Hours - Opposing AES Battery Project / Risk to CSMH & Morgan Hill Community

*** 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 Supervisor Arenas,

I am writing to sound the alarm on a proposed industrial project that has, until now, bypassed public and regional scrutiny. In less than 48 hours, our community petition opposing the AES Monterey Road Battery project has surged to **1,200 signatures**. This rapid response proves that the safety of the Charter School of Morgan Hill (CSMH) and our town's agricultural heritage is a matter of profound regional concern.

Critical Issues for Regional Review:

- **Agricultural Destruction:** The proposed site is currently designated as Green Space/Agricultural Land. AES has suggested they will "opt-in" to a state-level approval process (AB 205) that bypasses local zoning and permitting, effectively stripping the county of its protected agricultural resources for private industrial gain.
- **Evacuation Safety Trap:** CSMH is a single-access campus. Adding a high-hazard facility to the most congested part of our corridor is a recipe for disaster. If a fire requires shutting down Monterey Road, the "seconds" that save lives will be lost in the chaos. **Over 650 students, 60+ staff members, and the school's livestock** would be trapped while emergency responders are forced to close the only access road to stage equipment.
- Furthermore, As documented in the City's 2025 Fire Hazard Severity Zone (FHSZ) Maps, significant portions of Morgan Hill—specifically the western and eastern hillsides—are officially designated as High and Very High Fire Hazard Severity Zones within the Wildland-Urban Interface (WUI). While the proposed site itself sits on the valley floor, its proximity to these high-risk zones creates a critical "**Compound Risk**." A battery event during a high-wind wildfire scenario would result in a catastrophic "double-threat" for emergency responders already focused on hillside protection, leaving more than 650 students at CSMH in an untenable safety position.
- **Toxic Plume vs. Shelter-in-Place:** BESS fires release toxic gases (Hydrogen Fluoride). If traffic is gridlocked, "evacuation" becomes a health hazard. Furthermore, the school's HVAC systems are not equipped to filter chemical off-gassing for students forced to shelter in place.
- **Destruction of the "Living Laboratory":** Siting a high-hazard facility here threatens the permanent loss of our instructional livestock and science curriculum due to chemical fallout and noise. This violates educational equity for our students, particularly those with sensory sensitivities and IEPs.

- **The 3,200-Foot Safety Mandate:** We are demanding a setback consistent with **AB 303**, ensuring high-hazard industrial sites are not placed within a toxic plume radius of "sensitive receptors" like our students and faculty.
- **Railroad & Transit Risk:** The site across from CSMH is directly behind the **Caltrain/Union Pacific corridor**. A thermal runaway event would release conductive soot, risking electrical arcing in 25,000V lines and paralyzing regional transit.
- **Fiscal Risk to MHUSD:** The fear of a "Hot Zone" at the gate is already causing families to reconsider enrollment. A mass exodus of students would result in a multi-million dollar loss in ADA funding, destabilizing the entire school district's budget.
- **Inadequate Community Engagement:** To our knowledge up to this point, AES has only engaged with CSMH leadership, leaving the City of San Jose, the City of Morgan Hill, and County Fire in the dark. AES has explicitly declined to host a community town hall, stating they are "not prepared" for such a meeting. Instead, they will present at the February 24th CSMH Board meeting. However, due to Brown Act regulations, this setting prohibits the interactive dialogue and "back-and-forth" questioning required for a project of this magnitude. This "information-only" approach leaves parents with no formal venue to voice safety concerns, making your regional oversight even more vital. A developer confident in their safety protocols would welcome a public forum; AES's refusal to meet with the community alongside our city and fire officials suggests they are prioritizing project speed over public safety.

On Monday, February 16th, I contacted San Jose District 2 regarding the specific risks to vulnerable students with IEPs and chemical sensitivities, and I have yet to receive a reply. This silence is unacceptable. With over 1,200 neighbors standing with me, I am asking for your immediate leadership to stop this fast-tracked project to protect our children & our community.

Respectfully,

Teresa K.- CSMH Parent

<https://www.change.org/ProtectMorganHill>

From: [Kay Spiel](#)
To: [Board of Directors](#)
Subject: Rick Callendar
Date: Monday, February 23, 2026 3:35:55 PM

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

Hello,

I am extremely disappointed that you have chosen to not protect the people that work at Valley Water and that you expect the good people that live in this community to continue to vote for you and pay for this. No one should feel unsafe in their workplace. I find all of this extremely concerning and will not vote for Shiloh Ballard (rep for my district) for this position in the next election. I hope the details of what your CEO did to women working at Valley Water comes out to the public soon and all of you are held accountable for not protecting them.

I do not know how you can sleep at night or look into the eyes of your mothers, aunts, daughters, granddaughters, etc in the eye and not feel like you have given men the right to treat them like Rick Callendar did.

Shame on all of you.

OUTGOING BOARD CORRESPONDENCE

From: Candice Kwok-Smith on behalf of Board Correspondence
Sent: Friday, February 20, 2026 8:01 AM
To: Board of Directors
Subject: FW: Construction on my street and neighborhood

From: Shiloh Ballard <SBallard@valleywater.org>
Sent: Thursday, February 19, 2026 12:20 PM
To: [REDACTED]
Cc: Board Correspondence <boardcorrespondence@valleywater.org>
Subject: Fw: Construction on my street and neighborhood

Hi Jane,

Please let me start by apologizing. I sent a response to your original inquiry back on Oct 20th of last year but in reviewing my sent file, I left the "j" off your email address (see below.) So you never received it and were left to think Valley Water was ignoring you. My fault for incorrectly typing in your email.

That said, my original response is below. Probably the best course of action at this point is to call Cody to talk through the issue. His phone number is listed below.

Let me know if you have any trouble getting through and again, apologies.

Shiloh Ballard
Santa Clara Valley Water District
Director, District 2

From: Shiloh Ballard
Sent: Monday, October 20, 2025 2:17 PM
To: [REDACTED]
Cc: Candice Kwok-Smith <ckwok-smith@valleywater.org>
Subject: Re: Construction on my street and neighborhood

Hi Jane,

I am so sorry to hear that there is disruptive construction happening on your street. I asked staff to look into this and it sounds like this is not Valley Water doing the work. Does the A-frame or the postcard have a name of an entity?

It looks like you have reached out to the City of San Jose as well. In addition to them you may consider reaching out to your water retailer – San Jose Water. You can find how to contact them at this website: <https://www.sjwater.com/our-company/contact-us>. If you get hung up, let me know and I can help navigate you to someone. I find them to be very responsive when folks reach out.

If you have any further questions or comments regarding Valley Water, feel free to contact Cody Houston at (408) 630-3163 or chouston@valleywater.org.

Take care~

Shiloh Ballard

Director, District 2

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

From: Jane O'Donnell [REDACTED]
Sent: Friday, October 10, 2025 4:49 PM
To: Board of Directors <board@valleywater.org>
Cc: mayor@sanjose.ca
Subject: Construction on my street and neighborhood

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

Greetings

My name is Jane O'Donnell and I live at [REDACTED] San Jose CA 95126. I have a major complaint about the way the water department construction communication or lack of, has been handled on my street.

About 6 weeks ago A-boards appeared on our street and neighboring streets, stating no parking for about a month. We had received a post card informing us of some upcoming construction in the neighborhood. No details That was it!

Well, next came the ungodly noise of jackhammers beginning early in the morning. The movement caused plaster on my ceiling to crack. And it happened in my daughter's home next door. The noise was terrible, the dust blanketed every thing outside. The huge construction trucks blocking the street, the street closures which are always a surprise and the noise. Awful

I have sent several letters to the water department requesting a call with the person in charge and was told by several people that I would receive a call but that has yet to happen.

Here's my complaint besides the plaster damage, where is the communication? How hard would it be to let the neighbors know what is going on, the plan, the schedule? Maybe a public meeting at the library prior to this mess. A weekly schedule put in mailboxes. The name and phone number of a contact! Is there no PR team? Or maybe give out certifications for a pizza something to create good will!

And it's still ongoing. Yesterday morning we woke up to a port a potty in front of our house! Unacceptable! I live with a husband that's had a stroke and a 3 year old grandson. They are not early risers.

We are tax payers and water bill payers. This is no way to treat the community! And it continues!!!!

I look forward to hearing from you

Jane O'Donnell

Sent from my iPhone