



SANTA CLARA VALLEY WATER DISTRICT

# NON-AGENDA

March 1, 202

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

Page		<u><a href="#">CEO BULLETIN &amp; NEWSLETTERS</a></u>
		CEO Bulletin: None
		<u><a href="#">BOARD MEMBER REQUESTS &amp; INFORMATIONAL ITEMS</a></u>
4		<b>BMR/IBMR Weekly Reports: 03/01/24</b>
5		Memo from Aaron Baker, Chief Operating Officer, to the Board, dated 02/23/24, providing a link to the 2024 Protection and Augmentation of Water Supplies (PAWS) Report.
		<u><a href="#">INCOMING BOARD CORRESPONDENCE</a></u>
7		<b>Board Correspondence Weekly Report: 03/01/24</b>
13		Email from Meeka Martin to the board, dated 02/23/24, regarding trash in Sanchez Ponds. C-24-0044
14		Email from Jethroe Moore, to Chair Hsueh and Vice Chair Santos, dated 02/24/24, regarding zero tolerance for harassment, bullying and racism. C-24-0045
16		Email from Wendy Li to the board, dated 02/23/24, inquiring about action plan and cleanup of unsheltered along Los Gatos Creek Trail. C-24-0046
18		Email from Ron Cachopo to Jennifer Codianne (copied to the board), dated 02/24/24, regarding open gate along Saratoga Creek, 1400 Bowe Avenue, Santa Clara. C-24-0047
24		Email from Anthony Quijada to Director Keegan, dated 02/20/24, regarding encampment concerns near 1510 Bascom Avenue. C-24-0048
27		Email from Sam, President of Hamilton Place Neighborhood Association, to Director Keegan, dated 02/20/24, and staff's response, regarding encampment at Leigh and Bascom Avenues by the Hamilton Place complex. C-24-0049
31		Email from Denise Valderrama to the board, dated 02/26/24, regarding the unsheltered encampments along Almaden Lake in District 4. C-24-0050
33		Email from Kathleen O'Connell to Director Beall, dated 02/27/24, regarding encampment fires under Highway 85 at percolation ponds. C-24-0051
36		Email from Zachariah to the board, dated 02/28/24, regarding concerns about unsheltered encroachers and a fire hazard at the Almaden percolation ponds. C-24-0052

		<b><u>OUTGOING BOARD CORRESPONDENCE</u></b>
<b>40</b>		Email from Director Santos to Sharon Root, dated 02/21/24, regarding San Jose's King Road Beautification Project.
<b>42</b>		Email from Director Keegan to Chris Kouretas, dated 02/26/24, regarding concerns about the encampments of unsheltered people along Willow Street and Lelong Street, San Jose.

# **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
R-24-0006	02/27/24	Keegan	Yoke	Ndah	Staff is asked to provide at least a hyperlink, if not copies of, original agreements and prior amendments on new agreement amendments board agenda items brought to the Board for approval.	03/18/24		

**TO:** Board of Directors **FROM:** Aaron Baker

**SUBJECT:** 2024 Protection and Augmentation of Water Supplies (PAWS) Report **DATE:** February 23, 2024

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The 53<sup>rd</sup> annual Report on Protection and Augmentation of Water Supplies (PAWS), 2024 was filed with the Clerk of the Board on February 23, 2024 as required by the District Act. It contains the recommended groundwater production and other water charges for fiscal year 2024-25. A copy for your review in preparation for the public hearing, which opens on April 9, 2024, can be downloaded at the following URL:

<http://www.valleywater.org/GroundwaterChargeProcess>

Also posted at the above URL, or linked from that page, are the notices to well owners and surface water users, which describe the rate-setting process, give the rationale for the determination of proposed rates, and provide the dates and times of upcoming public hearings. These notices were mailed to all well owners and surface water users of record on February 23. Note that there are four notices, a groundwater and a surface water notice for North County Zone W-2 and a groundwater and a surface water notice for South County (Zones W-5, W-7 and W-8). A total of 376 North County and 3,172 South County customers receive these notices. The information will also be shared with subscribers to the district's 55,000+ eNewsletter in March.

Hardcopies of the PAWS report and the well owner notices will be distributed to the Board at the February 27, 2024 meeting; additional copies are available upon request. If you have any questions, please call me at 408-630-2135 or Darin Taylor at 408-630-3068.



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Aaron Baker, P.E.  
Chief Operating Officer  
Water Utility Enterprise

CC: R. Callender, T. Yoke, D. Taylor, C. Narayanan, J. Abadilla  
cn  
2024 Non-Agenda Memo re PAWS 02232024.docx

# **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-24-0052	02/28/24	02/28/24	All	ZACHARIAH ZACHARIAH	Email from Zachariah to the board, dated 02/28/24, regarding concerns about the unsheltered living along the Alamden Percolation Ponds.	Refer to Staff	Hakes	Bilski Codianne	03/07/24	-	n/a	03/13/24
C-24-0051	02/27/24	02/27/24	Beall	KATHLEEN O'CONNELL	Email from Kathleen O'Connell to Director BEall, dated 02/27/24, regarding encampment fires under Hhghway 85 at perc pond - Erikson Neighborhood.	Refer to Staff	Hakes	Bilski Codianne	03/06/24	-	n/a	03/12/24
C-24-0050	02/26/24	02/27/24	All	DENISE VALDERRA MA	Email from Denise Valderrama to the board, dated 02/26/24, regarding unsheltered ecampment issues in District 4.	Refer to Staff	Hakes	Bilski Codianne	03/06/24	-	n/a	03/12/24
C-24-0048	02/20/24	02/26/24	Keegan	ANTHONY QUIJADA	Email from Anthony Quijada to	Refer to Staff	Hakes	Bilski Codianne	03/05/24	-	n/a	03/11/24

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
					Director Keegan, dated 02/20/24, regarding 1510 Bascom Avenue encampment concerns.							
C-24-0047	02/24/24	02/26/24	All	RON CACHOPO	Email from Ron Cachopo to Jennifer Codianne, copied to the board, dated 02/24/24, regarding, open gate along Saratoga Creek - 1400 Bowe Avenue, Santa Clara.	Noted and Filed	-	-	03/05/24	02/26/24	n/a	03/11/24
C-24-0046	02/23/24	02/26/24	All	WENDY LI	Email from Wendy Li to the board, dated 02/23/24 inquiry into action plan and timeline for clean up of Los Gatos Unsheltered trail and relocation.	Refer to Staff	Hakes	Bilski Codianne	03/05/24	-	n/a	03/11/24
C-24-0044	02/23/24	02/23/24	All	MEEKA MARTIN	Email from Meeka Martin to the board, dated 02/23/24, regarding	Refer to Staff	Hakes	Codianne	03/02/24	-	n/a	03/08/24



Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
					trash along Sanchez Ponds near the Brookdale complex.							
C-24-0017	01/25/24	01/26/24	Eisenberg	JOHN GUISLIN	Email from John Guislin to Director Eisenberg, dated 01/25/24, regarding SFCJPA reconsideration of 6 foot cement walls by creek.	Refer to Staff	Hakes	Yerrapotu	02/03/24	02/01/24	n/a	02/09/24
C-24-0011	01/13/24	01/16/24	All	TIFFANY HOWARD	Email from Tiffany Howard to the board, dated 01/13/24, regarding the unhouse in the creek behind her home.	Refer to Staff	Hakes	Codianne	01/24/24	01/22/24	n/a	01/30/24
C-24-0007	01/11/24	01/11/24	Beall	ROGER CASTILLO	Email from Roger Castillo to Director Beall, dated 1/12/23, conveying a copy of the "12-29-23 101 Bayshore Chinook killed" document.	Refer to Staff	Hakes	Codianne	01/19/24	01/16/24	n/a	01/25/24

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
C-23-0293	12/04/23	12/07/23	Beall	AFSHIN ROUHANI	Email from Afshin Rouhani to Director Beall, dated 12/04/23, regarding Anderson Dam options.	Refer to Staff	Richardson	Mccarter	12/15/23	12/18/23	n/a	12/21/23
C-23-0267	11/03/23	11/03/23	Varela	ROCHELLE BEERLI	Email from Rochelle Beerli to Chair Varela, dated 11/03/23, conveying questions about Pacheco Dam.	Refer to Staff	Richardson	Mccarter	11/11/23	11/16/23	n/a	11/17/23
C-23-0266	10/31/23	10/31/23	All	JOHN GUISLIN	Email from John Guislin to the board, dated 10/31/23, expressing concern for Creek Flooding mitigation along San Francisquito Creek.	Refer to Staff	Hakes	Yerrapotu	11/08/23	11/06/23	n/a	11/14/23
C-23-0239	09/24/23	09/25/23	Beall	KATHLEEN O'CONNELL	Emal from Kathleen O'Connell to the Director Beall, dated 9/24/23, regarding Water Resource Protection	Refer to Staff	Hakes	Codianne	10/03/23	09/27/23	n/a	10/09/23

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
					Zone at the upcoming Cherry Avenue EIH project.							
C-23-0235	09/21/23	09/22/23	All	JESSICA CALDERON	Email from Jessica Calderon to the Board, dated 9/21/22 regarding the unhoustd at Church st./Howson Creek Monterey Road/Howson Creek, Gilroy.	Refer to Staff	Hakes	Codianne	09/30/23	09/25/23	n/a	10/06/23
C-23-0212	08/24/23	08/24/23	Santos	ERIC HA	Email from Eric Ha to Director Santos, dated 8/24/23, regarding unhoused individual setting fire behind property.	Refer to Staff	Hakes	Codianne	09/01/23	08/30/23	n/a	09/07/23
C-23-0211	08/24/23	08/24/23	Varela	LUIS RAMIREZ	Email from Luis Ramirez to Chair Varela, dated 8/24/23, regarding homeless in Gilroy on Valley Water property.	Refer to Staff	Hakes	Codianne	09/01/23	08/30/23	n/a	09/07/23
C-23-0101	05/12/23	05/12/23	All	STEVE KELLY	Email from Steve Kelly,	Refer to Staff	Blank Yerrapotu	Codianne	05/20/23	05/22/23	n/a	05/26/23

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
					to the Board, dated 5/12/23, regarding concern for unhoused that may cause threats to residents living near the creeks in Santa Clara.							
C-23-0076	03/31/23	04/03/23	All	H.K. WILLARD	Email from H.K. Willard to the Board dated 3/31/23 regarding misleading information in March Water News.	Refer to Staff	Gibson	Rocha	04/11/23	04/07/23	n/a	04/17/23
C-23-0045	02/23/23	02/24/23	All	MELISSA MALLORY	EMail from Melissa Mallory regarding unhouse along Los Gatos Creek Trail.	Refer to Staff	Blank	Codianne Yerrapotu	03/04/23	03/03/23	n/a	03/10/23

**Michele King**

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**From:** Meeka Martin [REDACTED]  
**Sent:** Friday, February 23, 2024 8:34 AM  
**To:** Board of Directors  
**Subject:** Trash in Sanchez Ponds (Blossom River Way)

\*\*\* 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 an employee at Brookdale San Jose, and residents have complained to me that there is trash on the west river side. Our facility is next to Sanchez Ponds where residents have reported seeing about 30-40 trash bags on the banks. I was told that this was the email to reach out with this complaint. Please let me know if you need any more information.

Thank you,  
MeeKa Martin

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----- This email may contain confidential protected health information and/or attorney privileged information. If received in error, see our Privacy Statement at <https://www.brookdale.com/privacy-policy/>

## Michele King

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**From:** Jethroe Moore [REDACTED]  
**Sent:** Saturday, February 24, 2024 6:50 AM  
**To:** Nai Hsueh; Richard Santos  
**Cc:** Rebecca Eisenberg; Tony Estremera; Jim Beall; Barbara Keegan; John Varela; Rick Callender; Clerk of the Board; Carlos Rosario; Sean Allen; Lasha Heard; William Armaline; James Staten; Raj Jayadev; Rose Lynn; Kaloma Smith; LaMonica Peters; Palo Alto Free Press; Elizabeth Kamya; <abjpc@[REDACTED]>; Mulugeta Habtegabriel; sharon jackson; Sameena Usman; iq4rent sc; Walter Wilson  
**Subject:** Subject: Zero Tolerance for Harassment, Bullying, and Racism  
**Attachments:** Chair Nai Hsueh, District 5,.pdf

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February 24, 2024

Chair Nai Hsueh, District 5  
Vice Chair Richard Santos, District 3  
Santa Clara Valley Water District  
5750 Almaden Expressway  
San Jose, CA 95118-3686

Subject: Zero Tolerance for Harassment, Bullying, and Racism

Dear Chair Hsueh, Vice Chair Santos, and Members of the Board:

I am writing to you in my capacity as the President of the San Jose/Silicon Valley Branch of the National Association for the Advancement of Colored People (NAACP). Our relentless pursuit for justice and equality stands resolute as we tackle incidents of racism, discrimination, and prejudice in all spheres of our community.

We are distressed and concerned by the recent findings from the Meyers Nave law firm regarding the conduct of Santa Clara Valley Water District Board Member Rebecca Eisenberg. The investigators' reports, which were made public on Friday, February 23, 2024, substantiate severe allegations and paint a troubling picture of the organizational environment.

Valley Water has long been distinguished as an exemplary institution serving the people of Santa Clara County. The allegations levied against Director Rebecca Eisenberg and substantiated by an independent investigation thus run counter to the very levels of respect, dignity, and ethical conduct that one expects from such a prestigious entity.

The documented instances of discriminatory harassment based on sex, age, and country of origin, as well as other harassing and offensive conduct, are incompatible with the values of the NAACP, the community you serve, and should be so with the ethos of the Board of Directors.

Addressing these substantiated incidents requires more than mere acknowledgement; it necessitates decisive action. The community looks to you to uphold the values you profess and the policies you have put in place to safeguard your staff and stakeholders against harassment, bullying, and racism.

Such actions go against the fabric of equality and justice for all, values that Valley Water and the NAACP stand firmly for. In light of the distress these findings have spurred among the victims and the larger community, it is the NAACP's position that swift and decisive action is warranted.

Our position remains uncompromising; no form of hostile workplace behavior is minor. It is incumbent upon Valley Water to take appropriate measures that not only address the current allegations but also prevent such behavior from recurring.

Please consider the gravity of this situation and the message it sends to our community. The NAACP will closely monitor the developments and anticipates swift remedial action from the board.

Our call to you today is a call for accountability, integrity, and transparency. It is a call to reaffirm your commitment to a working environment free from discrimination in any form. In light of this, the San Jose/Silicon Valley NAACP urges:

1. The immediate censure of Director Rebecca Eisenberg.
2. A thorough reexamination of current policies to reinforce zero tolerance towards discrimination.
3. Providing a public report on the outcomes of the investigations and actions taken, thus reinforcing accountability to the community you serve

It falls upon your shoulders to set the precedent that discrimination will not be tolerated, and to restore confidence in those looking to your organization for leadership and support. We trust that these issues will be addressed with the urgency and seriousness they undeniably warrant.

Sincerely,

Rev. Jethroe Moore II, President  
San Jose/Silicon Valley NAACP  
205 Alma D-10  
San Jose, Ca. 95112

Cc: Rick Callender, CEO, Santa Clara Valley Water District  
Carlos Orellana, District Counsel, Santa Clara Valley Water District

Perpetuation of unfair systems Tolerance of "little" racism or bullying contributes to a culture that normalizes such behaviors, making systemic change more difficult.

REV. JETHROE MOORE II

## Michele King

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**From:** Wendy [REDACTED]  
**Sent:** Friday, February 23, 2024 6:29 PM  
**To:** Barbara Keegan; Jennifer Codianne; Rebecca Eisenberg; Board of Directors; Jim Beall  
**Subject:** Inquiry into action plan and timeline for clean up of Los Gatos Homeless Trail and relocation

**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. \*\*\*

Hi Valley Water board members + Jennifer,

It was great to hear from the last meeting that the members of the encampment committee recognize how frustrating it's been that there's been no change in the camping situation on many of the creeks including Los Gatos creek for over a year even though initial plans were started for a relocation set up for it.

In the last encampment meeting (set around August), Jim Bealle mentioned that he wanted to set up a timeline and action items for how to use the newly allocated funds for assisting the homeless that opened up in January. In the last meeting, he again expressed his desire for action items and to see results. Rebecca Eisenberg also expressed her desire to see action being taken and suggested working with a tiny home non-profit and providing funding for tiny homes to be built for relocation. **I wanted to check in with the council and ask if action plans were written up and a timeline established six months ago. I also wanted to check in with you guys and see if action items were planned from the last meeting and a time line established for the development of tiny homes.**

I am also writing this as I'm waiting on the police to arrive so I can file a police report. A homeless man just tried to hit me with his bike, screamed profanities at me and called me a fucking Korean (I am not ethnically Korean and am a US citizen). I just wanted to walk my dog quietly on the creek before the sun went down and it was still safe to do so. I was not expecting to be harassed and racially profiled and am sick and tired of these experiences becoming a common occurrence.

Like Ms.Eisenberg emphasized, people are dying outside from exposure and the rain, the creek is being severely eroded (which will then contribute to future risk of flooding) and the residents around the creeks are suffering. **Please treat this like the urgent matter that it is.**





Best,  
Wendy

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**Wendy Li**  
(510) 816-0860

## Michele King

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**From:** Jennifer Codianne  
**Sent:** Monday, February 26, 2024 2:26 PM  
**To:** Ron Cachopo  
**Cc:** Cecilia Rocha; Board of Directors; Diana Martin  
**Subject:** Re: Gate Open along Saratoga Creek - 1400 Bowe Ave - Santa Clara

Hi Ron,  
The chain and lock has been tightened. Thanks for letting us know.  
Jen

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**From:** Ron Cachopo [REDACTED]  
**Sent:** Saturday, February 24, 2024 1:26 PM  
**To:** Jennifer Codianne <JCodianne@valleywater.org>  
**Cc:** Cecilia Rocha <CRocha@valleywater.org>; Board of Directors <board@valleywater.org>; Diana Martin <dmartin@commoninterest.com>  
**Subject:** Re: Gate Open along Saratoga Creek - 1400 Bowe Ave - Santa Clara

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

Hi Jen,

Going shopping Saturday Morning noticed the New Gate chain lock is loosely holding the Gate closed.

There is a substantial gap and the gate is not fully closed.

Looks like someone could gain easy access to the Saratoga Creek.

Is it possible to have someone take a look and tighten up the chain on the Gate?

Thanks, Ron P. Cachopo

Santa Clara Hampton Place

[REDACTED]

On Saturday, December 23, 2023 at 12:09:08 PM PST, Ron Cachopo [REDACTED] wrote:

Hi Jen,

Going shopping Saturday morning noticed a four foot round hole in the fence just to the left where the new gate was installed.

No debris sited at this time.

Is it possible to have someone take a look?

Thanks, Ron P. Cachopo

Santa Clara Hampton Place

[REDACTED]

On Tuesday, November 14, 2023 at 05:34:17 PM PST, Ron Cachopo [REDACTED] wrote:

Hi Jen,

Arriving home from work Today noticed a young lady walking out from the hole in the fence where the new gate was installed.

Also, there is debris inside the fence.

Not sure if someone has taken up residence there or just visiting.

I will monitor and keep you posted.

Thanks, Ron P. Cachopo

Santa Clara Hampton Place

[REDACTED]

On Friday, November 10, 2023 at 07:49:08 PM PST, Ron Cachopo [REDACTED] wrote:

Hi Jen,

FYI: Noticed another small hole in a piece on the fence close to the El Camino. (Looks like it is the same type of hole that starts in the lower left hand side of the fence at ground level.)

Thanks, Ron P. Cachopo

Santa Clara Hampton Place

[REDACTED]

On Thursday, October 12, 2023 at 06:23:57 PM PDT, Ron Cachopo [REDACTED] wrote:

Hi Jen,

Was someone going to come out and look at the Large Size hole in the fence next to where the new gate was installed?

Thanks, Ron P. Cachopo

Santa Clara Hampton Place

[REDACTED]

On Saturday, September 16, 2023 at 05:19:56 PM PDT, Ron Cachopo [REDACTED] wrote:

Hi Jen,



FYI: Noticed and additional Large Size hole in the fence next to where the new gate was installed. (The hole is several feet long and wide. Also, there are many different items inside of the fence.)

Thanks, Ron P. Cachopo

On Saturday, September 2, 2023 at 12:57:58 PM PDT, Ron Cachopo [REDACTED] wrote:

Hi Jen,

Returning home from shopping on Saturday noticed a open piece of fence across from the Moonlight shopping center parking lot close to the El Camino. (It is a good size opening.)

Also, There is a ladder up against the fence near the newly replaced Gate with a large plastic pallet on the inside of the fence for people to climb down.

Lastly, Looks like there are shopping carts butted up against various parts of the fence to facilitate climbing the fence easier.

Can you please have someone take a look and button it up the fence?

Thanks, Ron P. Cachopo

Hampton Place Santa Clara

On Sunday, July 30, 2023 at 06:09:35 PM PDT, Ron Cachopo [REDACTED] wrote:

Hi Jen,

Noticed arriving home from shopping late Sunday afternoon a large opening in the Saratoga Creek Fence.

The opening is located to the left hand side of our main entrance complex gate. (PS: There is an abandoned Shopping Cart near the opening.)

Can you have someone take a look and button it up?

Thanks, Ron P. Cachopo

Santa Clara Hampton Place

On Tuesday, June 20, 2023 at 05:30:40 PM PDT, Ron Cachopo [REDACTED] wrote:

Hi Jen,

Leaving for work this morning and noticed the Fence Gate entering into the Saratoga Creek was ripped open on the bottom allowing easy access to the Saratoga Creek. (The Damaged Gate is located across from our Automatic Gate closest to the Moon Lite Shopping Center.

Is it possible to have someone take a look and make the repair?

Thanks, Ron P. Cachopo

Santa Clara Hampton Place

On Saturday, April 1, 2023 at 12:57:15 PM PDT, Ron Cachopo [REDACTED] wrote:

Hi Jen,

I E-mailed you back on March 11, 2023 regarding open piece of fence along the Saratoga Creek on 1400 Bowe Ave, Santa Clara.

My brother noticed returning home from shopping on Saturday April 1, 2023 a piece of open fence along the Saratoga Creek across the Moonlite Shopping Center side gate entrance on our Santa Clara Hampton Place Condominium Complex.

Our Manager for the Santa Clara Hampton Place Complex is Diana Martin at Common Interest. (I have cc'd here on this E-mail).

Is it possible to have someone button up the fence?

Thanks, Ron P. Cachopo

Santa Clara Hampton Place

On Saturday, March 11, 2023 at 12:35:54 PM PST, Ron Cachopo [REDACTED] wrote:

Hi Jen,

I E-mailed you back on October 29, 2022 regarding open piece of fence along the Saratoga Creek on 1400 Bowe Ave, Santa Clara.

My brother noticed returning home from shopping on Saturday March 11, 2023 a piece of open fence along the Saratoga Creek across the Moonlite Shopping Center side gate entrance on our Santa Clara Hampton Place Condominium Complex.

Our Manager for the Santa Clara Hampton Place Complex is Diana Martin at Common Interest. (I have cc'd here on this E-mail).

Is it possible to have someone button up the fence?

Thanks, Ron P. Cachopo

Santa Clara Hampton Place

[REDACTED]  
[REDACTED]

On Monday, October 31, 2022 at 01:18:55 PM PDT, Jennifer Codianne <jcodianne@valleywater.org> wrote:

Hi Ron,

Staff will investigate and I will get back to you as soon as I know more.

Thanks,

Jen

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**From:** Ron Cachopo [REDACTED]  
**Sent:** Saturday, October 29, 2022 12:44 PM  
**To:** Jennifer Codianne <JCodianne@valleywater.org>  
**Cc:** Cecilia Rocha <CRocha@valleywater.org>; Board of Directors <board@valleywater.org>; Diana Martin <dmartin@commoninterest.com>  
**Subject:** Broken fence along Saratoga Creek - 1400 Bowe Ave - Santa Clara

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

Hi Jen,

I E-mailed you back on July 28, 2021 regarding Homeless People entering the fence along the Saratoga Creek on 1400 Bowe Ave, Santa Clara.

My brother noticed returning home from work on Thursday 10-27-22 people entering a piece of broken fence along the Saratoga Creek by the telephone pole across the main entrance on our Santa Clara Hampton Place Condominium Complex.

Our Manager for the Santa Clara Hampton Place Complex is Diana Martin at Common Interest. (I have cc'd here on this E-mail).

Is it possible to have someone button up the fence?

Thanks, Ron P. Cachopo

Santa Clara Hampton Place

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## Michele King

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**From:** Candice Kwok-Smith on behalf of Board Correspondence  
**Sent:** Monday, February 26, 2024 2:10 PM  
**To:** Board of Directors  
**Subject:** FW: 1510 Bascom Encampment Concerns

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**From:** Anthony Quijada [REDACTED]  
**Sent:** Tuesday, February 20, 2024 11:10 PM  
**Cc:** Board Correspondence <[boardcorrespondence@valleywater.org](mailto:boardcorrespondence@valleywater.org)>  
**Subject:** Re: 1510 Bascom Encampment Concerns

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

Thank you for the response. The area that I am referring to has a fence with a no trespassing sign posted. I understand the homeless population have rights but this area does not appear open to the public. I do not understand how this is considered public property? Why would a fence with a no trespassing sign be present? How can someone be allowed to build a makeshift house on this property? Also, if these people cannot be removed. What efforts will be made to clean up the trash in this area? This will take weekly cleaning if this area is not secured from the public.

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**From:** Barbara Keegan <[BKeegan@valleywater.org](mailto:BKeegan@valleywater.org)>  
**Sent:** Tuesday, February 20, 2024 10:18 PM  
**To:** Anthony Quijada [REDACTED]  
**Cc:** Board Correspondence <[boardcorrespondence@valleywater.org](mailto:boardcorrespondence@valleywater.org)>  
**Subject:** 1510 Bascom Encampment Concerns

Dear Mr. Quijada,

I did drive out this afternoon to take a look at the concerns that you raised. Unsheltered encampments are the number one issue that I hear about from constituents. It is a problem throughout our County and my District and I am sadly aware of numerous locations where this is occurring.

Staff will provide a more detailed response to your specific concerns but there is not an easy answer. There are legal impediments to removing unsheltered individuals from public property if there is no place for them to go to. Unfortunately right now there isn't enough housing available for them.

There is an Environmental Creek Cleanup Committee at Valley Water that you may be interested in attending. Here is a link to our committee meetings page.

Board Committees | Santa Clara Valley Water  
[valleywater.org](http://valleywater.org)

Staff will get back to you with additional information and thank you again for contacting me.

Best regards,  
Director Barbara Keegan  
Valley Water District 2  
Sent from my iPad



On Feb 20, 2024, at 11:53 AM, Anthony Quijada [REDACTED] > wrote:

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

Hello Ms. Keegan,

Thank you for your response. I saw there is a zoom meeting this Thursday. I will possibly be attending but I wanted to bring this to your attention first.

I am resident at the River Walk Apartments located at 1510 S. Bascom Ave. directly next to the Los Gatos Creek Trail. You may be aware of the homeless encampment on the embankment near the corner of S. Bascom Ave and Southwest Expy. This embankment is property of the San Jose Valley Water District. I have attached videos to this email showing how much of a problem this area has become. There is a sign posted that says "No Trespassing". However, it seems this encampment is being allowed to form. Last week, I spoke to a group of officers that I saw walking this area. They informed me they were looking for anyone with warrants, but didn't have authorization to trespass anyone. Now that I see there is a no trespassing sign that makes no sense to me.

I am reaching out as a concerned resident looking for how to remove this encampment from the area. I could easily start a petition if you find that would be helpful to this cause. I am sympathetic towards the homeless population but also understand that Santa Clara County offers a ton of programs and assistance to those in need. I do see cleanup crews every couple of months to clean this area. However, I believe it's time for significant changes. One of the videos shows the fence has been opened to make an entrance. That fence appears to be property of the apartment complex next to it. There should be a joint effort made to secure this entrance point with new heavy-duty fencing.

Thank you for your time. I would appreciate any information that you can provide on this concern.

Take care,

Anthony Quijada

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**From:** Barbara Keegan <[BKeegan@valleywater.org](mailto:BKeegan@valleywater.org)>

**Sent:** Tuesday, February 20, 2024 10:56 AM

**To:** Anthony Quijada [REDACTED]

**Subject:** Re: Question/Concern

Dear Mr. Quijada,

Yes email is the easiest way to reach me.

Best regards,

Barbara Keegan

Sent from my iPhone

On Feb 20, 2024, at 9:40 AM, Anthony Quijada [REDACTED] wrote:

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

Hello Ms. Keegan,

I have a question/concern regarding district 2. Is email the best way to contact you?

Thank you for your time.

Take care,

Anthony Quijada

<IMG\_1722.MOV>

<IMG\_1723.MOV>

Sent from my iPad

## Michele King

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**From:** Candice Kwok-Smith on behalf of Board Correspondence  
**Sent:** Monday, February 26, 2024 2:10 PM  
**To:** Board of Directors  
**Subject:** FW: Leigh and Bascom Encampment - Hamilton Place Neighborhood Association

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**From:** Mark Bilski <MBilski@valleywater.org>  
**Sent:** Friday, February 23, 2024 8:09 AM  
**To:** Hamilton Place Neighborhood Association <membership.hpna@gmail.com>  
**Cc:** Barbara Keegan <BKeegan@valleywater.org>; Jennifer Codianne <JCodianne@valleywater.org>; Board Correspondence <boardcorrespondence@valleywater.org>  
**Subject:** RE: Leigh and Bascom Encampment - Hamilton Place Neighborhood Association

Hi Sam,

Thanks for reaching out regarding the encampments along Los Gatos Creek between Bascom Ave. and Leigh Ave. Valley Water has scheduled an enhanced cleanup next week on February 26-29 to address the creekside trash, debris, and hazardous pollutants in this reach. During the cleanup, our crew will also remove any discarded needles that they encounter.

As to whether the portable toilet facilities deployed in this reach have attracted additional encampments, our numbers don't bear this out. Since the facilities were installed, there has been some in- and out-migration of encampments in the reach. But the data collected by Valley Water staff indicate that the overall count has not changed. We'll continue to monitor the encampment trends.

Additionally, please note that the City of San José manages the trails along the creek. Regarding unauthorized vehicular access, our staff have observed that the City's security bollards are missing at the trail entrances at both Bascom and Leigh. We've contacted the City Parks Department to alert them to the missing bollards—hopefully they can be replaced soon to prevent vehicles from entering. The City also maintains the wooden split-rail fencing along the trail, which you noted as damaged and being used for firewood. As always, please continue to contact the fire department if you observe smoke or fire. Concerns relating to fires and unwanted or illegal behaviors are best handled by City resources.

Under Valley Water's Memorandum of Agreement with the City of San José, we work with the City to ensure they provide outreach services to unsheltered individuals residing on Valley Water lands within city limits. However, we're unaware of the Homeless Concerns survey you cited, in which a significant number of unsheltered individuals may have expressed a lack of interest in housing. It is Valley Water's understanding that City outreach staff extend as many offers of housing or shelter as they are able to, but that the overall shortage of housing availability is the primary factor preventing more people from moving indoors.

We appreciate your comments, and we hear your frustration. If you have questions or want to provide more information, please contact me via my email or the phone number in my signature below.

Kind regards,  
Mark

**MARK BILSKI**  
ASSISTANT OFFICER – GOOD NEIGHBOR PROGRAM



**SANTA CLARA VALLEY WATER DISTRICT**  
5750 Almaden Expressway, San Jose CA 95118  
[www.valleywater.org](http://www.valleywater.org)

Clean Water · Healthy Environment · Flood Protection

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**From:** Jennifer Codianne <[JCodianne@valleywater.org](mailto:JCodianne@valleywater.org)>  
**Sent:** Wednesday, February 21, 2024 10:11 AM  
**To:** Barbara Keegan <[BKeegan@valleywater.org](mailto:BKeegan@valleywater.org)>; Hamilton Place Neighborhood Association <[membership.hpna@gmail.com](mailto:membership.hpna@gmail.com)>  
**Cc:** Mark Bilski <[MBilski@valleywater.org](mailto:MBilski@valleywater.org)>  
**Subject:** RE: Leigh and Bascom Encampment - Hamilton Place Neighborhood Association

Hi Sam,  
Mark and I will get back to you, some of your questions below are regarding City infrastructure and operations and we will need to check in with their staff to provide you answers (trail vehicular deterrents, split rail fencing, SJFD response).  
Thanks,  
Jen

---

**From:** Barbara Keegan <[BKeegan@valleywater.org](mailto:BKeegan@valleywater.org)>  
**Sent:** Tuesday, February 20, 2024 9:39 PM  
**To:** Hamilton Place Neighborhood Association <[membership.hpna@gmail.com](mailto:membership.hpna@gmail.com)>  
**Cc:** Mark Bilski <[MBilski@valleywater.org](mailto:MBilski@valleywater.org)>; Jennifer Codianne <[JCodianne@valleywater.org](mailto:JCodianne@valleywater.org)>; Board Correspondence <[boardcorrespondence@valleywater.org](mailto:boardcorrespondence@valleywater.org)>  
**Subject:** Re: Leigh and Bascom Encampment - Hamilton Place Neighborhood Association

Hello Sam,

Thank you for contacting me. I'm assuming you have already been in contact with our staff as you have copied them on your email.

I'm familiar with the Hamilton Place Community Association and also with the Hamilton Place Cottages Community Association but I don't know the Hamilton Place Neighborhood Association. Do you have a website or newsletter that provides information on your location and board members? It is helpful if I know where the specific location is that you are referring to.

I very frequently get contacted by the public about issues relating to the unsheltered. This is a problem throughout our County as well as my District. You have raised some specific questions in your email that our staff will have to answer particularly as many issues relate to other agencies.

Thanks again for contacting me and you will be hearing back from staff with a more detailed response.

Best regards,  
Director Barbara Keegan  
District 2

Sent from my iPad

On Feb 20, 2024, at 3:01 PM, Hamilton Place Neighborhood Association  
<[membership.hpna@gmail.com](mailto:membership.hpna@gmail.com)> wrote:

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

Hi Barbara,

My name is Sam and I am the president of the Hamilton Place Neighborhood Association and a homeowner between Bascom and Leigh ave. We are a collective of 52 households that are very concerned with the growing encampment on Valley Water Public land.

I am writing to bring your attention to the growing encampment on the Los Gatos Creek trail between Bascom and Leigh Ave.. The situation is becoming increasingly urgent, and I believe that the port-a-potty service maintained on the trail is attracting more and more unhoused individuals to the area.

In a survey conducted by City of San Jose (Homeless Concern) in October of 2023, 90% of the individuals were not interested in housing. This is a +30% increase in individuals who have no interest in housing offers from April 6th 2023.

**Here is what we are facing in our neighborhood:**

1. Discarded needles along the trail
2. Additional structures in parallel with the deployment of a Port-a-potty
3. Increase blight by the creek side
4. Damage to fencing (used in firewood)
5. Frequent calls to SJFD because of smoke and fire
6. Vehicular access to trail and encampment on both Leigh and Bascom Ave.

What is the plan for individuals who are refusing housing? I was in attendance in the latest ECCC and while there is an outsized representation of what the needs of unhoused individuals are, I find the lack of representation of your constituents' interests discouraging.

Can we meet for a discussion on what can realistically be achieved here? We would love to have you champion our interests since you are our district representative.

Thanks,  
Sam

President of Hamilton Place Neighborhood Association  
(Bascom & Leigh Ave.)

## Michele King

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**From:** Mac User [REDACTED]  
**Sent:** Monday, February 26, 2024 11:21 PM  
**To:** Board of Directors  
**Cc:** Bob [REDACTED]; pam.foley@sanjoseca.gov  
**Subject:** Homeless Encampments Problems

**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. \*\*\*

To the Board of Valley Water,

I have lived 28 years on Fell Court. My husband and I raised 4 children and have loved this location. We often road bikes or walked to Almaden Lake and loved that we could do it on the path adjacent to the percolation ponds and stream totally avoiding any streets with cars. The last 7 years I was doing it with my grandkids, but not since the homeless community has multiplied. It is just not safe.

Today under the freeways on this island where about 25 tents are set up there was a large fire. It could be seen for miles. The firetrucks and police were out there as the fireman where trying to put it out. Last week there was another fire that was on the land to the right the percolation ponds where there is a huge encampment. The smell was so toxic!! It smelled like they were burning tires. The neighbors all started texting each other. There are fires large and small that we all have to deal with on a regular basis. My niece lives at the back of Dawnview Ct. and is always affected by these fires. So sad because her husband and her bought this over a million dollar home right before the homeless took over the land behind their house.

I'm sure you will know this name, Brigitte Rince, who constantly contacted you as she daily dealt with homeless community incidents since she lived on the end of Chynoweth on the right side of the street. She was traumatized by having to deal with a women screaming being raped, gun shots during the night, intruders from the homeless community in her yard yelling at her, numerous fires, and much more. Her husband Mark and her were long time residents and well liked and respected in our neighborhood. Well, they couldn't take it any more and moved out and now their house is up for sale. It's going on 3 weeks, but no sale. Beautifully remodeled kitchen and bathroom, pool, and large lot, but who would want to buy that house when they see all the tents right by her yard and on the other side of the lake. Another family had to disclose the homeless encampment when they put there house for sale and it really affects property values.

In the last 5 year+ all my neighbors have bought security cameras or burglar alarms due to cars being broken into. Quite often we are calling each other to ask if they can look at the view from their camera's angle due to some type of intrusion or attempted break in. This is since the encampment.

We have had one man with a sword try to steal toys from a little boy on our block. We had to call the police because he disappeared and we knew he didn't leave the court. He ended hiding behind a garbage can and scared my female neighbor when he jumped out at her with his sword. He is well know as he had bothered others on other streets. He definitely has mental illness, like a lot of the homeless unfortunately suffer from.

I know that you are planning to put tiny homes by the bass shopping center, and I was glad to hear this, but it will definitely not be able to house all these people in tents. Plus, I understand some prefer living in the tents. Some may move, but what is going to keep more people moving into the spaces that become vacant? What is the plan to relocate these people and prevent them or new people moving on to this land?

I look forward to hearing from you

Thank you,

Denise Valderrama



## Michele King

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**From:** Kathleen [REDACTED]  
**Sent:** Tuesday, February 27, 2024 7:54 AM  
**To:** Jim Beall  
**Cc:** Pam Foley; 3699@sanjoseca.gov; Board of Directors  
**Subject:** Encampment Fires Three Days Apart/ Under 85 at Perc Pond/ Erikson Neighborhood  
**Attachments:** Jim Beall.png; Pam foley fire.png

**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 Leaders:

Enclosed are two pictures of our most recent homeless fire that occurred yesterday, 2/26/24 under HY 85 at the perc pond area behind the Senior Facility formerly known at the Atrium. The second pic captures the amount of resources deployed to combat this fire.

On Friday, 2/23/24, there was a similar fire in this same area.

Regularly, residents are experiencing pungent smell of toxic materials being burned by the homeless.

This is a TOTAL PUBLIC SAFETY HAZARD. We have recently had residents bordering that area list their home for sale and my understanding is they had to report the homeless situation surrounding them and sold the home at a LOSS.

I have been a 40 year resident in my home and I have also noticed a substantial increase in my Homeowner's Insurance Premiums.

I wanted to make sure you saw these pictures and have read what I have submitted to you. I know in times past, there were similar fires that some/all of you were not aware had occurred.

Homes have already been evacuated in the past on Tonino due to the fires lapping their backyard fences from the homeless encampments. What is going to happen next? What is it going to take to ensure our safety?

My family no longer walks the trails as it is just too dangerous and we fear for our safety.

Thank you.

Kathleen O'Connell  
Corrales Drive Resident  
Erikson Neighborhood  
retired 911/EMD 35 years Santa Clara County Communications



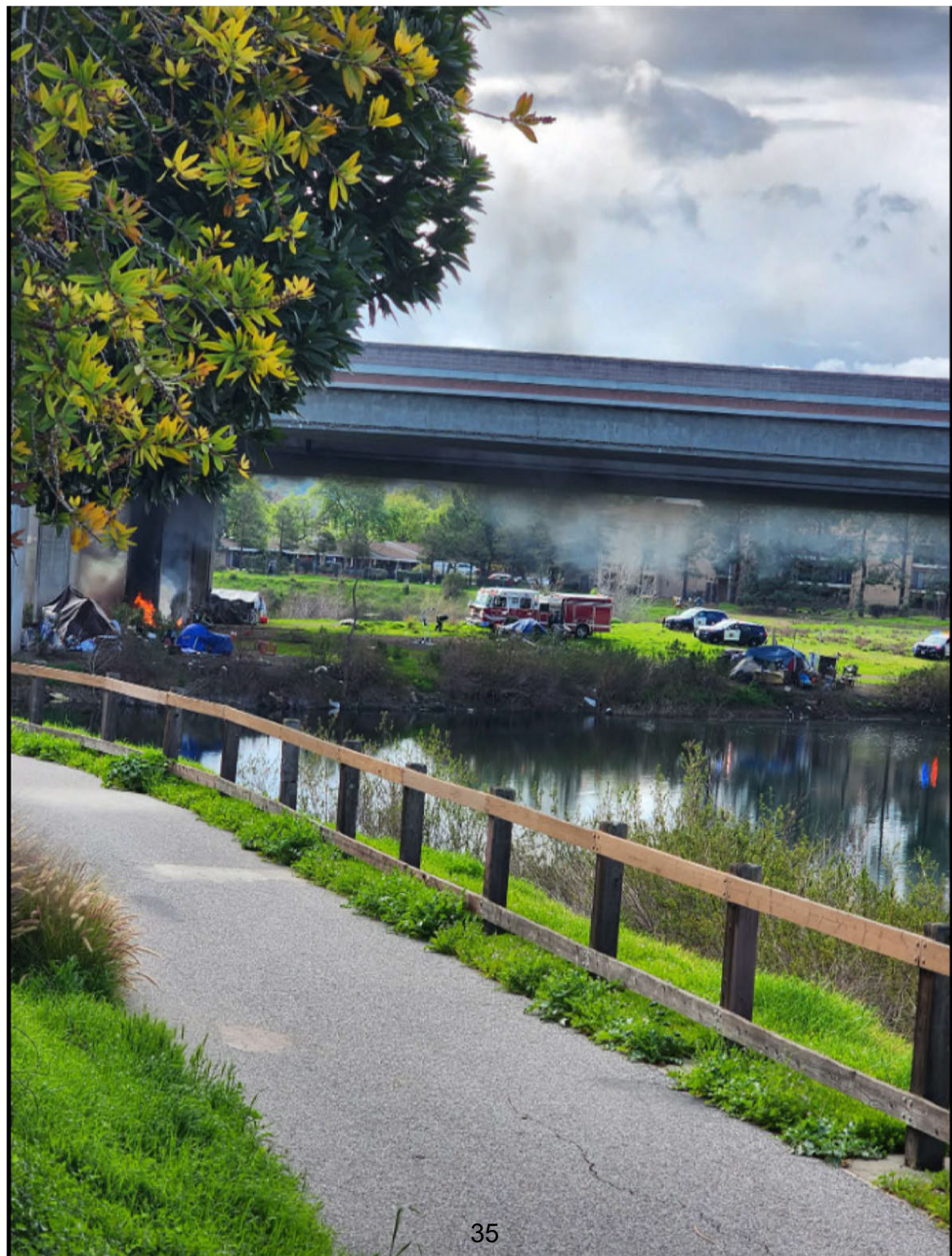
Erikson Neighborhood Association

Reels · Nora Miroslavova · Feb 26 · 🌐



Hello neighbors, Big fire of black smoke coming from somewhere. Does anyone know what's happening?





## Michele King

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**From:** Zachariah Zachariah [REDACTED]  
**Sent:** Wednesday, February 28, 2024 7:11 AM  
**To:** Board of Directors  
**Subject:** Urgent Concerns Regarding Homeless Encroachers and a Fire Hazard at the Almaden Percolation Ponds

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Zachariah Zachariah  
[REDACTED]  
[REDACTED]

28 February 2024

Board of Directors ,  
San Jose Water District

**Subject: Urgent Concerns Regarding Homeless Encroachers and a Fire Hazard at the Almaden Percolation Ponds**

Dear Directors,

I hope this letter finds you well. I am a resident of San Jose living near the 85 overpass by the Oak Ridge Mall for the past 10 years. I am writing to urgently bring to your attention a growing concern in our neighborhood regarding the presence of homeless encroachers around the Almaden Percolation Ponds. As a concerned resident and member of this community, I am deeply troubled by recent events that have disturbed the peace and safety of our area.

Over the past few months, the situation has escalated, and the impact on our neighborhood has been significant. We have experienced disturbances that have disrupted the tranquility of our community. Regrettably, this includes instances of gunshots during the night, causing fear and anxiety among residents. Furthermore, the constant noisy rantings have deprived people of their much-needed sleep, which has had a detrimental effect on their overall well-being.

It is disheartening to witness the decline in the sense of security and the negative impact this situation has had on the overall livability of our community. The Almaden Percolation Ponds have always been a cherished part of our neighborhood, providing a serene and picturesque environment. However, the presence of homeless encroachers has led to a rise in petty thefts and disturbances, posing a threat to the safety of our residents.

In addition to these distressing issues, a recent incident has further exacerbated our concerns. A growing fire broke out below the highway 85 overpass, emanating from the encampments of homeless individuals. The fire quickly spread, endangering not only the encampments but also surrounding areas and nearby homes. It was a situation that required immediate intervention from firefighters to prevent further damage and potential harm to residents.

I urgently request that the City Council take immediate action to address this multifaceted issue. It is crucial that we find a comprehensive and compassionate solution that considers the needs of both our residents and those experiencing homelessness. By working collaboratively with local organizations and service providers, we can explore options to provide shelter, support, and resources to these individuals while ensuring the safety and well-being of our community.

In light of the recent fire incident, I propose the following additional measures to address the situation:

- 1.
- 2.
3. Increase police presence and patrols
4. in the area to deter criminal activities and ensure the safety of residents, as well as to prevent fire hazards.
- 5.
- 6.
- 7.
8. Collaborate with local homeless service
9. providers to enhance outreach programs, connecting individuals with necessary resources such as emergency shelter, healthcare, mental health support, and fire safety education.
- 10.
- 11.
- 12.
13. Coordinate with the fire department
14. to conduct regular inspections of encampments, identify potential fire hazards, and enforce fire safety regulations.
- 15.
- 16.
- 17.
18. Evaluate the existing proposal for
19. housing solutions for homeless individuals and assess its adequacy in addressing the large number of individuals in need. Explore alternative options and strategies to ensure that the housing plan encompasses the diverse needs of the homeless population, including
20. those who may be resistant to traditional shelter options. Consider innovative approaches such as tiny homes, transitional housing, and supportive housing models that provide necessary support services to help individuals reintegrate into society successfully.
- 21.
- 22.
- 23.
24. Initiate community engagement programs
25. that promote awareness, understanding, and support for individuals experiencing homelessness, while also emphasizing fire prevention and safety practices.
- 26.

I believe that by working together as a community and with the guidance and support of the City Council, we can find a solution that addresses the concerns of both residents and those in need. It is crucial to prioritize the safety and well-being of our neighborhood while also offering compassion and support to individuals experiencing homelessness.

Thank you for your immediate attention to this matter. I kindly request your prompt action and look forward to hearing about the steps being taken to address this urgent issue. Should you require any additional information or assistance, please do not hesitate to contact me.

Yours sincerely,

--

Zachariah Z

# **OUTGOING BOARD CORRESPONDENCE**

## Michele King

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**From:** Michele King  
**Sent:** Wednesday, February 21, 2024 4:11 PM  
**To:** [REDACTED]  
**Subject:** FW: Bridge over Penitencia Creek at King Rd

### Sent on behalf of Vice Chair Santos

Hello Mrs. Root,

Thank you for your email and interest in the Upper Penitencia Creek Flood Protection project.

In prior discussions with the City of San Jose (City), Santa Clara Valley Water District (Valley Water) staff have not been informed of the City's King Road Beautification Project. Nevertheless, Valley Water does not have any concerns if the City chooses to move forward with their King Road Bridge Widening Project. Based on our discussions with City of San Jose staff, it is our understanding that the bridge project is not yet funded by the City. The City's bridge design would need to include continued operation of Valley Water's stream gauge at that location and not change the creek's flow capacity. During our recent discussions, City expressed interest in exploring the cost share opportunities for their Bridge Project with Valley Water. More information about the City's King Road Bridge Widening Project can be obtained by reaching out to Zahi Khattab, principal engineer with City of San Jose at (408) 975-3252 or [Zahi.Khattab@sanjoseca.gov](mailto:Zahi.Khattab@sanjoseca.gov).

Valley Water recently began design of the Upper Penitencia Creek Flood Protection project which will provide flood protection improvements between Coyote Creek confluence up to Capitol Avenue, which includes King Road. Our current schedule is to complete design by summer 2027. After additional funding is obtained, Valley Water can move forward with construction of the flood protection improvements.

Valley Water will be coordinating with the City on the Upper Penitencia Creek Flood Protection project design and will also inquire about their King Road bridge widening project. If you have questions regarding the Upper Penitencia Creek Project, you may contact the Engineering Manager, Sunshine Julian at [svjulian@valleywater.org](mailto:svjulian@valleywater.org)

Sincerely,



Richard P. Santos  
Director, District 3  
2024 Vice Chair  
408-234-7707

C-24-0031

### **MICHELE L. KING, CMC**

CLERK OF THE BOARD  
Office of the Clerk of the Board  
Santa Clara Valley Water District  
Tel. (408) 630-2711 / Cell. (408) 593-5803





Clean Water • Healthy Environment • Flood Protection  
5750 Almaden Expressway, San Jose CA 95118  
[www.valleywater.org](http://www.valleywater.org)

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**From:** Sharon Root [REDACTED]  
**Sent:** Saturday, February 10, 2024 12:37 PM  
**To:** Richard Santos <[rsantos@valleywater.org](mailto:rsantos@valleywater.org)>  
**Subject:** Bridge over Penitencia Creek at King Rd

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

Richard,

We have been waiting over 30 years to get the bridge on King Rd, where it goes over Penitencia Creek widened. With the increased traffic over the years it is long past time to get it done. Having the road go from two lanes, down to one, and then immediately open back up to two lanes has created a lot of road rage with cars merging into the left lanes to cross the bridge.

With the city's new King Rd beautification project I hope the bridge widening will finally be done ..... and sooner than later. In looking into the issue I am told that the current hold up is that valley water has to finish and approve a plan for building out the channel below the bridge. Is there any possible way to speed up the generation and approval of a plan?

Who is the person assigned to design the channel, and what is the projected approval date? Is this group working on another project that takes precedence over designing this channel?

I hope we'll have a chance to talk Mon night at the BCAC meeting. And I hope you have some good news related to this issue.

Thank you so much,  
Sharon Root

## Michele King

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**Subject:** FW: Needs Attention!!!  
**Attachments:** Screenshot\_20240212-124831\_WhatsApp.jpg

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**From:** Candice Kwok-Smith On Behalf Of Board of Directors  
**Sent:** Monday, February 26, 2024 8:04 PM  
**To:** [REDACTED]  
**Subject:** Re: Needs Attention!!!

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

Dear Chris Kouretas,

Thank you for reaching out to Valley Water and sharing your frustrations related to the encampments of unsheltered people located along Willow Street at Lelong Street. Valley Water must work in concert with cities and the County to address encampments such as the ones on Willow Street. The City of San José's portable toilets and dumpster at this site are offered as part of its Services, Outreach, Assistance and Resources (SOAR) program. While Valley Water cannot control illegal dumping invited by the presence of the City's dumpster, our crews do remove the accumulated trash during our scheduled cleanups. Our cleanup crew visited this reach of the Guadalupe River on February 5<sup>th</sup> and 6<sup>th</sup> and removed 14.02 tons of encampment-generated trash and debris. Valley Water has also added vehicle deterrents at this location to restrict unauthorized motor vehicle access.

Although encampment relocations are curtailed at this time, our crews continue to perform large scale trash cleanups throughout jurisdictional areas countywide to prevent encampment-generated trash and debris from polluting the waterways. Recently, Valley Water's Board of Directors approved new staffing resources to support greater service and coordination toward cleaning up trash, debris, and hazardous pollutants produced by encampments along waterways in Santa Clara County. This increased level of service means that Valley Water cleanup crews will be able to visit impacted areas more often.

As with all public agencies, Valley Water must adhere to applicable case law, which has significantly affected how we can respond to encampments of unsheltered people. A 2019 court ruling by the 9th Circuit Federal Court of Appeals in the case of Martin v. Boise has limited the ability of California public agencies to relocate unsheltered individuals who are camping on public lands. This ruling holds that governments in the court's jurisdiction (which includes California) cannot enforce ordinances that ban public camping or criminalize sleeping outdoors on public property if there is no real option for sleeping indoors. Shelter is required to be offered before unsheltered people may be relocated from public lands; however, given the unprecedented need for transitional and long-term housing in Santa Clara County, there is currently only shelter capacity for approximately one quarter of the unsheltered population. For this reason, there is often little that Valley Water can do to relocate encampments until there are sufficient housing alternatives.

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

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

Sincerely,



Barbara Keegan  
Director, District 2

C-24-0034

---

**From:** Chris K [REDACTED]  
**Sent:** Monday, February 12, 2024 12:59 PM  
**To:** Board of Directors <[board@valleywater.org](mailto:board@valleywater.org)>  
**Subject:** Needs Attention!!!

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

Board,

Please address this immediately!! The dumpster is being used for possibly illegal dumping. Also, I'm not exactly clear why the board is making it difficult to work with the city of San Jose to disperse this dangerous and out of control homeless site! It takes some pretty special cowards and weak people not to want to work together because of bureaucracy to keep the public safe which by the way pays all your salaries and all your retirement and helps you put food on your table. Get off your asses and find Solutions NOW!!!

Chris Kouretas  
Willow Glen Resident  
[REDACTED]

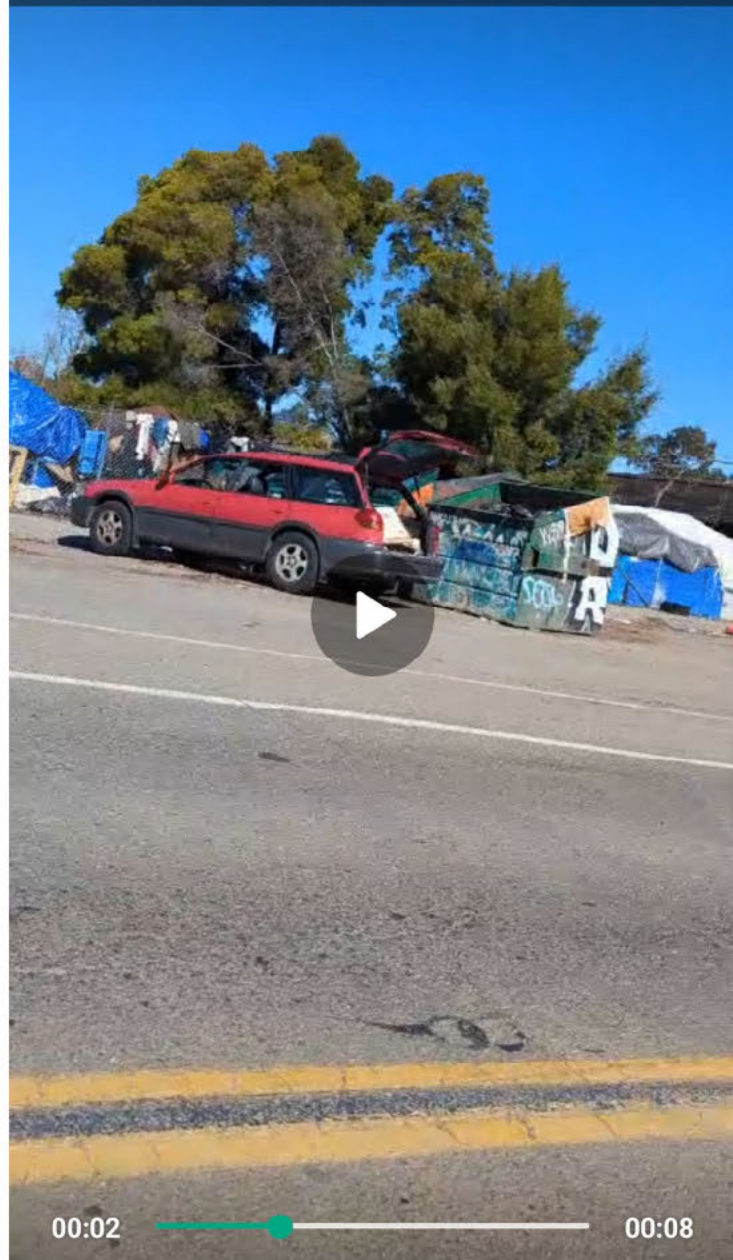


12:48

22%



Today, 9:38 AM



00:02

00:08

