<table>
<thead>
<tr>
<th>Page</th>
<th>CEO BULLETIN &amp; NEWSLETTERS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>CEO Bulletin: None.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Board Member Requests &amp; Informational Items</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 BMR/IBMR Weekly Reports: 08/25/23</td>
</tr>
<tr>
<td>4 Memo from Melanie Richardson, Acting Chief Executive Officer, to the board, dated 08/10/23, providing Fiscal Year 2022-2023 Ends Policy Outcome Measure Status Report.</td>
</tr>
<tr>
<td>6 Memo from Risk Management to the board, dated 08/21/23, providing Risk Management Communications.</td>
</tr>
<tr>
<td>13 Memo from Patrice McElroy, Deputy Administrative Officer, to the board, dated 08/16/23, responding to IBMR I-23-0022 – Request from Director Eisenberg for a copy of the Performance Management Process Presentation shared at the 08/10/23 Town Hall.</td>
</tr>
<tr>
<td>24 Memo from Michele King, Clerk of the Board, to the board, dated 08/23/23, conveying additional public comments received on the 8/22/23 Pacheco Reservoir Expansion Project Agenda Item.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Incoming Board Correspondence</th>
</tr>
</thead>
<tbody>
<tr>
<td>28 Board Correspondence Weekly Report: 08/25/23</td>
</tr>
<tr>
<td>33 Email from Kenneth Murray to the board, dated 08/16/23, regarding recent tree planning along trail beside Camden Avenue. C-23-0207</td>
</tr>
<tr>
<td>36 Letter from Glenn M. Hayden, Hayden &amp; Kassel to Director Santos, dated 08/21/23, regarding unsheltered Encampment along the Sunnyvale East Channel adjacent to the Maple Tree Inn, 711 East El Camino Real, Sunnyvale. C-23-0208</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Outgoing Board Correspondence</th>
</tr>
</thead>
<tbody>
<tr>
<td>None.</td>
</tr>
</tbody>
</table>
BOARD MEMBER REQUESTS
and Informational Items
<table>
<thead>
<tr>
<th>Request</th>
<th>Request Date</th>
<th>Director</th>
<th>BAO/Chief</th>
<th>Staff</th>
<th>Description</th>
<th>20 Days Due Date</th>
<th>Expected Completion Date</th>
<th>Disposition</th>
</tr>
</thead>
<tbody>
<tr>
<td>I-23-0022</td>
<td>08/10/23</td>
<td>Eisenberg</td>
<td>Yoke</td>
<td>Mcelroy</td>
<td>Provide Director Eisenberg with a copy of the performance management slide deck presented at the 8/10/23 Townhall Meeting.</td>
<td>08/31/23</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I-23-0023</td>
<td>08/21/23</td>
<td>Eisenberg</td>
<td>Gibson</td>
<td>Lugo</td>
<td>Provide Director Eisenberg with a briefing on proposed support of new legislation that will allegedly assist the Palo Alto airport at the expense of the neighboring communities? She would like to understand the thinking behind this given that she has been part of the large group of residents fighting against the huge amounts of carcinogenic lead pollution caused by this private airport.</td>
<td>09/10/23</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I-23-0024</td>
<td>08/22/23</td>
<td>Eisenberg</td>
<td>Yoke</td>
<td>Ndah</td>
<td>Director Eisenberg requests that the current restroom signs inside the visitor’s center at the SVAWPC be replaced with the non-binary symbol.</td>
<td>09/11/23</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R-23-0010</td>
<td>08/08/23</td>
<td>Beall</td>
<td>Yoke</td>
<td>Mcelroy</td>
<td>Director Beall requested that staff look at the feasibility of VTA supplying transit passes (or clipper cards) for employees and family members.</td>
<td>08/29/23</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R-23-0011</td>
<td>08/08/23</td>
<td>Eisenberg</td>
<td>Taylor</td>
<td>Chinte Salandanan</td>
<td>Director Eisenberg requested a report on BAO travel for the last year, including costs and how time was charged.</td>
<td>08/29/23</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R-23-0012</td>
<td>08/22/23</td>
<td>Hsueh</td>
<td>Hakes</td>
<td>Bourgeois</td>
<td>Staff to share newly adopted FY24 Board Policy Calendar with EWRC Chair/Vice Chair to assist in determining timely items discussion/input items on future EWRC Agendas.</td>
<td>09/12/23</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R-23-0013</td>
<td>08/22/23</td>
<td>Beall</td>
<td>Baker</td>
<td>Williams</td>
<td>Staff to investigate if the small empty pond on Sunnyoaks Avenue in Campbell, between the fire department and the training facility, can be used by the city and the fire department.</td>
<td>09/12/23</td>
<td></td>
<td></td>
</tr>
<tr>
<td>R-23-0014</td>
<td>08/22/23</td>
<td>Beall</td>
<td>Baker</td>
<td>Williams</td>
<td>Staff to investigate if other small empty ponds within the City of Campbell can be used for other purposes.</td>
<td>09/12/23</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
In October 2021, the CEO reported that the quarterly performance report was being reformatted and updated based on consultant input and feedback from the Leadership Team. Furthermore, the frequency of the report was revised from quarterly to semi-annually. The last report provided by the CEO was in February 2023. The latest update to the performance report is attached and is one of the ways that the Santa Clara Valley Water District Board of Directors (the Board) monitors the degree to which the Board policies are being met by the Chief Executive Officer.

The organization’s performance toward accomplishing the Board’s Ends policy goals and objectives is the responsibility of the Board Appointed Officers. Outcome Measures are derived and implemented through the budget process and guide development of project and individual staff work plans. These plans specify operational activities to be implemented to achieve the Board’s direction for the organization.

The BAOs analyze and monitor organizational performance through operational management reviews and report results to the Board through Performance Reports, as required by Board-BAO Linkage Policy 5.4:

All policies which instruct the BAOs will be monitored at a frequency and by a method chosen by the Board. The Board can monitor any policy at any time by any method, but will ordinarily depend on a routine schedule. Proposed Frequency = Semi-Annual.

The performance of the Outcome Measures is regularly monitored to ensure that they are achieved and meet the Board’s expectations and are used to monitor the CEO’s performance.

The alignment of the Board policies, and the Budget Process supports a cycle of continual improvement. The outcomes from monitoring either reinforce existing Board policy or facilitate recommended policy changes for Board consideration.

The report summarizes the status of 17 Outcome Measures, grouped by Board Ends Policy. These performance areas were monitored by Watersheds, Water Utility Enterprise, and Admin Services and their status was reported to the CEO. The new report format provides information that management can use to determine the current status and redirect the effort as needed based on the current situation and/or anticipated challenges. This report will be provided at the beginning and halfway through each fiscal year.

Please contact me if you have comments or questions about this report.

Melanie Richardson, P.E.
Assistant Chief Executive Officer
Acting for Rick L. Callender
Chief Executive Officer
Valley Water
### BOARD ENDS POLICIES - OUTCOME MEASURES

#### E-2: Valley Water provides reliable, safe, and affordable water supply for current and future generations in all communities served.

<table>
<thead>
<tr>
<th>OUTCOME MEASURE</th>
<th>FY 21-22 Outcome</th>
<th>FY 22-23 Outcome</th>
<th>Target Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>100% of annual water demand was met.</td>
<td>100% of annual water demand was met.</td>
<td>100% of annual water demand was met.</td>
<td>100% of annual water demand was met.</td>
</tr>
<tr>
<td>Total acre-feet of groundwater storage</td>
<td>312,000 acre-feet.</td>
<td>374,000 acre-feet.</td>
<td>500,000 acre-feet.</td>
</tr>
<tr>
<td>Percentage of subsidence index wells with groundwater levels above subsidence thresholds</td>
<td>100% of subsidence index wells had groundwater levels above subsidence thresholds.</td>
<td>100% of subsidence index wells had groundwater levels above subsidence thresholds.</td>
<td>100% of subsidence index wells had groundwater levels above subsidence thresholds.</td>
</tr>
<tr>
<td>Percentage of water supply wells that meet or exceed quality standards</td>
<td>91% of water supply wells tested met all primary drinking water standards (based on calendar year 2021).</td>
<td>95% of water supply wells tested met all primary drinking water standards (based on calendar year 2022 data).</td>
<td>99% of water supply wells test met or exceed quality standards.</td>
</tr>
<tr>
<td>Percentage of treated water that meets or exceeds primary drinking water standards</td>
<td>100% of treated water delivered met or exceeded all primary drinking water standards.</td>
<td>100% of treated water delivered met or exceeded all primary drinking water standards.</td>
<td>100% of treated water delivered met or exceeded all primary drinking water standards.</td>
</tr>
<tr>
<td>Total acre-feet of water supply portfolio from recycled and purified water</td>
<td>16,855 acre-feet of recycled water in FY22.</td>
<td>20,000 acre-feet by 2025.</td>
<td>30,000 acre-feet by 2025.</td>
</tr>
</tbody>
</table>

#### E-3: Natural flood protection is provided to reduce risk and improve safety for residents, businesses, and visitors, now and into the future.

<table>
<thead>
<tr>
<th>OUTCOME MEASURE</th>
<th>FY 21-22 Outcome</th>
<th>FY 22-23 Outcome</th>
<th>Target Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>54% Hybrid and 5% EVs.</td>
<td>55% Hybrid and 5% EVs.</td>
<td>60% Hybrid and 5% EVs.</td>
<td>70% Hybrid and 5% EVs.</td>
</tr>
<tr>
<td>Percent of Valley Water’s operaing facilities that are EVs</td>
<td>100% of Valley Water’s passenger vehicles are EVs.</td>
<td>100% of Valley Water’s passenger vehicles are EVs.</td>
<td>100% of Valley Water’s passenger vehicles are EVs.</td>
</tr>
<tr>
<td>Number of participation in building a community setting with a comprehensive flood protection program</td>
<td>NFIP CRS total point sum (countywide) is 13,000 or higher.</td>
<td>The point sum of all participating CRS Communities in Santa Clara County is 13,000 or higher.</td>
<td>The point sum of all participating CRS Communities in Santa Clara County is 15,000 or higher.</td>
</tr>
<tr>
<td>Number of flood protection projects that incorporate natural flood protection features</td>
<td>81% of capital flood protection projects in the CIP incorporate NFIP features (based on FY23-27 CIP Report).</td>
<td>85% of capital flood protection projects in the CIP incorporate NFIP features.</td>
<td>90% of capital flood protection projects in the CIP incorporate NFIP features.</td>
</tr>
</tbody>
</table>

#### E-4: Water resources stewardship protects and enhances ecosystem health.

<table>
<thead>
<tr>
<th>OUTCOME MEASURE</th>
<th>FY 21-22 Outcome</th>
<th>FY 22-23 Outcome</th>
<th>Target Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>100% of Valley Water’s California Green Business Car Position</td>
<td>Valley Water is certified as a California Green Business.</td>
<td>Valley Water is certified as a California Green Business.</td>
<td>Valley Water is certified as a California Green Business.</td>
</tr>
<tr>
<td>25% of Valley Water’s operating facilities are equipped w/ Electric Vehicle (EV) charging infrastructure.</td>
<td>35% of Valley Water’s operating facilities are equipped w/ EV charging infrastructure.</td>
<td>50% of Valley Water’s operating facilities are equipped w/ EV charging infrastructure.</td>
<td>100% of Valley Water’s operating facilities are equipped w/ EV charging infrastructure.</td>
</tr>
<tr>
<td>54% of Valley Water’s passenger vehicles fleet is 35% Hybrid and 5% EVs.</td>
<td>Valley Water’s passenger vehicle fleet is 55% Hybrid and 5% EVs.</td>
<td>Valley Water’s passenger vehicle fleet is 55% Hybrid and 5% EVs.</td>
<td>Valley Water’s passenger vehicle fleet is 55% Hybrid and 5% EVs.</td>
</tr>
</tbody>
</table>

#### E-5: Valley Water is carbon neutral and provides equitable, climate-resilient water supply, flood protection, and water resource stewardship to all communities in Santa Clara County. This will be accomplished through the implementation of the Climate Change Action Plan.

<table>
<thead>
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<th>Target Outcome</th>
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<td>20,000 acre-feet by 2025.</td>
<td>30,000 acre-feet by 2025.</td>
</tr>
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</table>
TO: Board of Directors
FROM: Lilian Dennis obo David Cahen
SUBJECT: Risk Management Communication
DATE: August 21, 2023

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

Please find the following:

1) August 10, 2023 – Letter acknowledging receipt of claim to Sharon Perry (District 5)
2) August 14, 2023 – Claim Settlement letter to Yan Sun (District 2)
3) August 18, 2023 – Claim Settlement letter to Guy Trujillo (District 1)
4) August 18, 2023 – Claim Settlement letter to Doug Desmond obo Saratoga Oaks Homeowners Association (SOHA) (District 5)

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

Lilian Dennis obo
David Cahen
Risk Manager
Risk Management Unit
August 10, 2023

Sharon Perry
14333 Saratoga Ave. #17
Saratoga, CA 95070

Re: Receipt of Claim – L2230040

Dear Sharon Perry:

We received your claim regarding tree limb that fell on or about June 15, 2023 resulting in fence damage.

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 dcahen@valleywater.org

Sincerely,

David Cahen
Risk Manager
Risk Management Unit
CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT
California Government Code Sections 900 and following

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

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.

<table>
<thead>
<tr>
<th>Name of Claimant: Sharon Perry</th>
<th>Email Address: <a href="mailto:slpshep@aol.com">slpshep@aol.com</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Address of Claimant: 14333 Saratoga Ave #17</td>
<td>City: Saratoga</td>
</tr>
<tr>
<td>Address to which Notices should be sent, if different from above:</td>
<td>City: Saratoga</td>
</tr>
<tr>
<td>Home Phone Number:</td>
<td>Cell Phone Number: 408-346-1965</td>
</tr>
</tbody>
</table>

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: 6:15:23 aprox
Location of incident or loss (address): 20812 4th Street #21 Saratoga Ca 95070
Is there a police report? □ Yes □ No 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):
The SCVWD came out to determine where the limb of a tree originated from. It was noted it fell from outside of the residence into 20812 4th Street #21 ‘s fence causing damage and leaving the heavy debris.
CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT
California Government Code Sections 900 and following

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

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

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

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

<table>
<thead>
<tr>
<th>ITEMS</th>
<th>CLAIM AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>$</td>
</tr>
<tr>
<td>2.</td>
<td>$</td>
</tr>
<tr>
<td>3.</td>
<td>$</td>
</tr>
<tr>
<td>4.</td>
<td>$</td>
</tr>
</tbody>
</table>

TOTAL AMOUNT $ \\

WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE OR FRAUDULENT CLAIM (Penal Code Section 72 and 650)

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 8th day of August, 2023

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.
August 14, 2023

Yan Sun
3563 Mauricia Avenue
Santa Clara, CA 95051

Re: Settlement – L2340001

Dear Mr. Sun:

Enclosed is the final settlement check regarding the above-mentioned claim. The total amount of the settlement is $2,450.00.

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

Sincerely,

Lilian Dennis obo
David Cahen
Risk Manager
Risk Management Unit

Enc: Settlement Check #502810
August 18, 2023

Guy Trujillo
96 Sterling Lane
Morgan Hill, CA 95037

Re: Settlement – L2230033

Dear Mr. Trujillo:

Enclosed is the final settlement check regarding the above-mentioned claim. The total amount of the settlement is $482.50.

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

Sincerely,

Lilian Dennis
Lilian Dennis obo
David Cahen
Risk Manager
Risk Management Unit

Enc: Settlement Check #503272
August 18, 2023

Doug Desmond, Board of Directors V.P.
Saratoga Oaks Homeowners Association
14646 Springer Court
Saratoga, CA 95070

Re: Settlement – L2230037

Dear Mr. Desmond:

Enclosed is the final settlement check regarding the above-mentioned claim. The total amount of the settlement is $287.50.

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

Sincerely,

[Signature]

Lilian Dennis obo
David Cahen
Risk Manager
Risk Management Unit

Enc: Settlement Check #503250
TO: Board of Directors

FROM: Patrice McElroy

SUBJECT: I-23-0022

DATE: August 16, 2023

In response to Director Eisenberg’s request on August 10, 2023, attached is a copy of the Performance Management Process presentation that was shared at the Town Hall on August 10, 2023.

Patrice McElroy
Deputy Administrative Officer
Human Resources

Enc: Administrative Services Updates_08.10.23 Town Hall
ATMS (Automated Talent Management System) Update
Presentation Outline

• Eligibility
• Schedule
• Kudos Performance Points
• Frequently Asked Questions
• Additional Resources
## Eligibility

<table>
<thead>
<tr>
<th>Participate in the ATMS Year-End Evaluation and Goal-Setting processes</th>
<th>Do NOT participate in the ATMS Year-End Evaluation and Goal-Setting processes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regular employees* (full time and part time)</td>
<td>Temporary staff</td>
</tr>
<tr>
<td></td>
<td>Student interns</td>
</tr>
<tr>
<td></td>
<td>Contractors</td>
</tr>
<tr>
<td></td>
<td>Retired Annuitants</td>
</tr>
<tr>
<td></td>
<td>Limited Term Employees</td>
</tr>
</tbody>
</table>

*Employees hired within the 3 months of the new fiscal year (start date of April 1, 2023 or later) do not receive an annual evaluation*
FY23 Year-End Evaluations and FY24 Goal-Setting Process Schedule

**FY23 Year-End Evaluations**
- Employees begin writing self-appraisals*  
- Supervisors begin writing evaluations

**FY24 Goal-Setting Process**
- Employees begin drafting FY24 goals
- Employee FY24 draft goals due; Supervisors begin reviewing draft goals
- Supervisors approve employee FY24 goals; employees begin signing off on goals
- Employee goal sign-off due date

**Timeline**
- **THURS, JULY 13**
- **THURS, AUG 10**
- **THURS, SEPT 7**
- **THURS, SEPT 28**

**Employee sign-off due date**

**Classified Employees**
- Classified Employees who receive an Overall Performance Rating of "Achieved" or higher will receive points in Kudos**

*Note: Self-appraisals are due on July 13.

**Kudos**
- Valley Water

**Diagram**
- Steps and timelines for the evaluation and goal-setting processes.
Kudos Performance Points

Qualifications for Performance Point Awards
• Submit self-appraisal by the deadline (Aug 10)
• Sign off on evaluation by the deadline (Sept 28)
• Managers must also complete a performance appraisal for each of their direct reports and meet to discuss by the deadline (Sept 7).

<table>
<thead>
<tr>
<th>Overall Rating</th>
<th>Kudos Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Achieved</td>
<td>500 points ($50)</td>
</tr>
<tr>
<td>Exceeds</td>
<td>750 points ($75)</td>
</tr>
<tr>
<td>Exceptional</td>
<td>1,000 points ($100)</td>
</tr>
</tbody>
</table>
Frequently Asked Questions

#1: Are Year-End evaluation self-appraisals mandatory?

#2: How come the goals section in my FY23 evaluation is appearing blank?

#3: Can I have an extension to complete my self-appraisal or draft goals?

#4: What happened to the “Manager Meets with Employee” step?
Visit [https://aqua.valleywater.org/performance-management](https://aqua.valleywater.org/performance-management) for videos, job aids, office hours, and additional information.

Email [workforcedevelopment@valleywater.org](mailto:workforcedevelopment@valleywater.org) with questions.
Workforce Development Professional Development Catalog

Fiscal Year 2024, 1st Quarter (July - September 2023) and 2nd Quarter (October - December 2023) catalog

Additional Information:

- Prior to clicking on a course link below, ensure to log in to the Learning Management System (LMS) by CLICKING HERE.
- Select one of the categories below (e.g., Highlights, Technical/Software, etc.) to view the courses for each category.
- If you cannot locate a course that matches your developmental goals, contact the Workforce Development Helpdesk. We can research solutions to match your needs.

- IMPORTANT: LinkedIn Learning courses, and SkillSets Online courses, are part of a pilot program and require users to request/enroll in the pilot program.
  - Click here for more information about the pilot program and to enroll.
  - Click here for the LinkedIn Learning catalog.
  - Click here for the SkillSets Online catalog.
Valley Water
Clean Water • Healthy Environment • Flood Protection
TO: Board of Directors
FROM: Michele King, Clerk of the Board

SUBJECT: 08/22/23 Public Comments on Pacheco Reservoir Expansion Project Agenda Item
DATE: 08/23/23

Attached are two additional public comments received regarding 8/22/23 Board Agenda item 8.1 – Receive Information on the Pacheco Reservoir Expansion Project.
Chair Varela and Board Members
Santa Clara Valley Water District
5700 Almaden Expressway
San Jose, California 95123
Aug 22, 2023

RE: Misleading Information

Missed opportunity costs is a valid metric in some situations but in this case it is a matter of speculation and is misleading. The arguments for Pacheco Reservoir when based on these propositions fail to provide a strong and grounded case - especially when other more realistic options exist at a much lower cost and lower environmental impacts.

--

Sincerely,
Rita Norton
ritanorton1@gmail.com
Los Gatos, CA
Michele King

From: Santa Clara Valley Water <system-generated@valleywater.org>
Sent: Tuesday, August 22, 2023 5:31 PM
To: Clerk of the Board
Subject: SCVWD Agenda Comment Form

Follow Up Flag: Follow up
Flag Status: Flagged

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Submitted on Tue, 08/22/2023 - 5:30 PM

Submitted values are:

Address
California

Email
tes.ter@catlingo.com

Board Meeting Date
2023-08-22

Agenda Item Number
8.1

I would like to
Express Support

Comment Form
It looks like the benefits of Pacheco vastly outweigh the costs. I support the project and don’t understand why Director Eisenberg continues to present unsupported and exaggerated misinformation. We aren’t all made of money and should strive to manage cost/benefit for all citizens.
INCOMING BOARD CORRESPONDENCE
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<th>Draft Response Date Due</th>
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<td>C-23-0030</td>
<td>01/18/23</td>
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<td>STEPHEN QUAN</td>
<td>Email from Stephen Quan, to the Board of Directors, dated 01/19/23, concerning Dam Levels and the Drought.</td>
<td>Refer to Staff</td>
<td>Baker</td>
<td>Williams</td>
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<td>MELISSA MALLORY</td>
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<td>H.K. WILLARD</td>
<td>Email from H.K. Willard to the Board dated 3/31/23 regarding misleading information in March Water News.</td>
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<td>Gibson</td>
<td>Rocha</td>
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<td>STEVE KELLY</td>
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<td>LAURA TOGNOLI</td>
<td>Email from Laura Tognoli to Director Keegan and the board, dated 8/11/23, encampment on Los Gatos Creek Trail between Leigh and Bascom.</td>
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<td>LAURA TOGNOLI</td>
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<td>BILL COWDEN</td>
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<td>08/15/23</td>
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<td>KENNETH MURRAY</td>
<td>Email from Kenneth Murray to board, dated 08/16/23, regarding dead trees along trail on Almaden Expressway.</td>
<td>Refer to Staff</td>
<td>Hakes</td>
<td>Infante Bourgeois</td>
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<td>08/21/23</td>
<td>08/21/23</td>
<td>Santos</td>
<td>GLENN HAYDEN Hayden &amp; Kassell</td>
<td>Letter from Glenn Hayden, Hayden &amp; Kassell, to Director Santos, dated 08/21/23, regarding Unsheltered Encampment Along the Sunnyvale East Channel Adjacent to the Maple Tree Inn, 711 East El Camino Real,</td>
<td>Refer to Staff</td>
<td>Hakes</td>
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<td>Varela</td>
<td>SANCHIT SHARMAA</td>
<td>Email from Sanchit Sharmaa to Chair Varela, dated 8/23/23, requesting an update to investigation on alleged unauthorized use of Naturally Occurring Management Database (NOA) at Anderson Dam Seismic Retrofit Project.</td>
<td>Refer to Staff</td>
<td>Richardson Yerrapothu</td>
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<td>08/24/23</td>
<td>06/24/23</td>
<td>Varela</td>
<td>LUIS RAMIREZ</td>
<td>Email from Luis Ramirez to Chair Varela, dated 8/24/23, regarding homeless in Gilroy on Valley Water property.</td>
<td>Refer to Staff</td>
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<td>09/01/23</td>
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<td>06/24/23</td>
<td>Santos</td>
<td>ERIC HA</td>
<td>Email from Eric Ha to Director Santos, dated 8/24/23, regarding unhoused individual setting fire behind</td>
<td>Refer to Staff</td>
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properly.
My name is Ken Murray and I live in Almaden Valley in District 7 represented by Rebecca Eisenberg. The information in bold below is from an email I wrote last week to the San Jose Parks department. The city did respond and said they did not plant the trees/bushes along Camden Avenue and were investigating who did. The only other agency that could have done the planting was the Valley Water District. As you can see from my attached pictures, the planting did not go well and I’m now guessing about 25% of the trees and plants planted are dead or near death. I suspect the number will continue to get worse as the hot weather continues. What should have been a roadside/creek trail improvement has turned into a neighborhood eyesore. Can someone from the water district please investigate what happened and take action to remove the dead trees/bushes and replace them with new ones. I’m sure the plantings were done with good intent but the end result is a bit of a disaster. Thanks for your assistance.

Ken Murray
Almaden Valley resident

In recent weeks, the city or the water district has planted numerous trees and plants on a strip of land adjacent to Camden Avenue and next to the Calero Creek Trail which starts right after the Los Alamitos Creek Trail ends. The planting starts along Camden Avenue from just south of Queenswood Way and runs all the way to where Camden Avenue ends at Harry Road. I walk along the trail almost daily and noticed that when the plants were first dropped off in the planting area, a number of them did not look too healthy. Now a week or so after they have all been planted, I would estimate that 10-15% of them are dead or dying. What was probably designed as a beautification project is looking more like an eyesore. I am attaching just a couple of pictures I took today to give you an idea of what has happened. Again, quite a large percentage of these trees and plants look like they are either dead or dying after having been planted only a week or so again. Hopefully the city didn't pay too much for these trees and plants and hopefully they can be replaced quickly. Thanks for your attention. And if the Valley Water District was the agency that did the planting, hopefully you can forward my email to the appropriate person at the water district. Thanks

Ken Murray
Almaden Valley resident
August 21, 2023

Richard Santos, Director (rsantos@valleywater.org)
District 3 - Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118-3686

Re: Unsheltered Encampment Along the Sunnyvale East Channel Adjacent to the Maple Tree Inn, 711 East El Camino Real, Sunnyvale, CA 94087

Dear Mr. Santos:

We represent the Maple Tree Inn and are sending you this letter on its behalf as well as the management company for the Maple Tree Inn, Hogan Hospitality Group.

As you know, the Maple Tree Inn’s General Manager, Charles Julien, has been working diligently in addressing the serious problems caused by the unsheltered encampment adjacent to the Maple Tree Inn. This included appearing at the Santa Clara Valley Water District’s (the “District”) committee meeting and speaking candidly about the problem, writing a letter to Glenna Brambill, the District’s Clerk, sending photographs depicting some of the more serious issues, discussing the matter with Lloyd Kinsworthy at onsite visits with him, calling the Sunnyvale Public Safety Department, discussing the damaged fence and gate and the need for better fencing and a secure gate with your construction supervisor, Ryan Tregoning, which unfortunately had little effect in resolving the matter.

Now that as I understand, California Assembly Bill 1469 has become effective on July 11, 2023, the District will have additional resources to help remedy the problem. The legislation found that in Section 1:

(b) Thousands of the unsheltered people of Santa Clara live along creeks and streams where creekside lands are owned by the District;

(c) Encampments of unsheltered people along waterways are both a human and environmental tragedy;

(e) Safe operation of water supply and flood risk reduction infrastructure requires vehicle access along pathways favored by encampments;
Environmental restoration and enhancement requires closing certain areas to the public to protect life, safety and the environment;

The District actions to address the human and operational challenges posed by encampments have been limited by its authority and restrictions on the use of taxes and fees;

There is a compelling need to expand the purposes of the District to better assist unsheltered people...by providing solutions, housing, and improved outcomes for unsheltered people living along waterways in Santa Clara County.

Section 4 provides that the District may:

(8) Assist unsheltered people living along streams, in consultation with a city or the County of Santa Clara, provide solutions to improve outcomes for unsheltered individuals.

Section 12.8 provides that (a) the District is authorized to take the actions to assist unsheltered people within its jurisdiction as provided in Section 4. (8) referred to above.

(1) Collect waste or biowaste;
(2) Contract with a city or the County of Santa Clara, or the State to provide outreach, counseling, interim or long term housing, public safety, or other services for unsheltered people;
(3) Lease land for temporary or permanent structures or other services for unsheltered people.

California Assembly Bill 1469 allows the District to take action to enhance and protect riparian corridors and natural resources, and to assist unsheltered people living along streams and riparian corridors or otherwise within the District’s jurisdiction and in conjunction with a city or the County of Santa Clara to provide solutions or improve outcomes for the unsheltered individuals. This includes outreach counseling, interim and permanent housing, public safety and other services, and to provide, develop, sell or lease land for the purpose of constructing temporary or permanent structures for temporary or long term housing or other services for unsheltered people.

Based on this legislation, the District is in a position to take immediate action to alleviate the very serious problems and conditions caused by the unsheltered encampment next to the Maple Tree Inn.

As you were advised by Mr. Julien, the unsheltered encampment contributes to vandalism, trespassing, verbal assault, harassment of guests, illegal drug use, vehicle break-ins, theft of water and electricity, physical attack on a Maple Tree Inn landscaper requiring police to be called, which is memorialized on a video, and having to request unsheltered individuals to leave the hotel when
they are trying to illegally obtain a complimentary breakfast reserved for guests. In addition to the
direct problems as stated above, the problem is much deeper in that it not only affects the safety and
well being of guests, visitors and employees, but also the operation of the Maple Tree Inn. To
maintain the safety and well being of guests, it has had to restrict the parking along the full cast
perimeter of the property line due to an unprecedented surge in vehicle break-ins. The Maple Tree
Inn has obtained a bid to construct a wall which would cost $18,000.00 that would alleviate but not
solve the problem. It could make it more difficult but would not stop the trespassing, harassment
of guests, illegal drug use, vehicle break-ins, theft of water and electricity, attacks on Maple Tree
employees, and the other violations caused by the unsheltered encampment.

The unsheltered encampment has also caused a serious decline in revenue for the Maple Tree Inn,
affecting not only the Property but the City of Sunnyvale in the reduction of transitory occupancy
tax, additional costs for the Sunnyvale Police Department because of being called for problems at
the encampment, the reduction of staff at the Maple Tree Inn, causing unemployment in the area, and
hurting the reputation of both Sunnyvale and Santa Clara County as unrestricted, unsheltered
encampments have done to the City and County of San Francisco.

Because of the unsheltered encampment, the Maple Tree Inn, to date, has lost 16 potential group
bookings after an onsite tour of the Maple Tree Inn and the displeasure with the unsheltered
encampment, with a potential loss of gross income in the amount of $214,560.00. No meeting
planner wants to house a group or stage events at a location near an unsheltered encampment for all
the reasons as stated above.

The loss of transient travelers and those travelers that will not return or recommend the Maple Tree
Inn through internet channels because of the unsheltered encampment as of July 21, 2023 has caused
a loss of about 700 room nights for an $83,000.00 yearly loss to date. This will increase over time
based on those guests who simply do not comment and do not return. Since the middle of February,
the Maple Tree Inn has been forced to take 13 rooms out of inventory as the view from the guest
room windows faces the unsheltered encampment. This would be 1,781 room nights as of July 21,
2023, and at a moderate occupancy rate would equate to a loss of $115,000.00. This also affects
employment of 1.5 housekeeper positions which is not good for the hardworking members of the
hotel staff, which would not be needed because of the problem created by the unsheltered
encampment. All of the above based on 10% transient occupancy tax would cause a loss to the City
of Sunnyvale of $41,256,000, as of July 21, 2023.

We know that you are sympathetic to the problem but now need much more efforts to alleviate this
serious problem. One issue is caused by the failure to have a proper fence and gate constructed at
the entrance to the access road nearer to the sidewalk on El Camino Real. I am enclosing herewith
photographs of a fence constructed and maintained by the District on Prospect Road in Saratoga,
which is far different from the fencing and gate provided for the unhoused encampment adjacent
to the Maple Tree Inn. These photos show how the District secures its other properties, and the
Maple Tree Inn is asking that it be given the same treatment, which would have prevented the entire problem from occurring.

There is no excuse to have to wait, as stated in your letter dated July 3, 2023 to Mr. Julien, for the District to schedule fence and gate upgrades in this area of the east channel as staff becomes available for routine maintenance work this Fall. With the passage of Assembly Bill 1469, there is no valid reason for delaying the construction of a new fence and gate at the Sunnyvale East Channel adjacent to the Maple Tree Inn.

Because of the extremely dangerous and unpleasant problems with the unsheltered encampment next to the Maple Tree Inn, the District now has the authority and financing to help provide homeless shelters to house the unsheltered so that the camps can be dispersed and the property secured with adequate fencing to prevent a recurrence. In addition, the District in conjunction with the City of Sunnyvale and the County of Santa Clara and the State can work diligently to plan, develop and fund temporary and permanent housing for the benefit of not only the unsheltered people, but the District, City of Sunnyvale, the County of Santa Clara and the tax-paying businesses in those jurisdictions.

Please provide the District’s plans to alleviate the unsheltered encampment adjacent to the Maple Tree Inn.

Thank you for your prompt attention to this matter.

Very truly yours,

GLEN M. HAYDEN

GMH:jdc.COR2000
Enclosures

cc: Glenna Brambill, Office of the Clerk, Santa Clara Valley Water District
    Larry Klein, Mayor of Sunnyvale
    Kent Steffens, City Manager of Sunnyvale
    Sunnyvale City Council
    Captain J. Lima, Public Safety Dept.
    Charles Julien, General Manager of Maple Tree Inn
    Pat Mitchell, President Hogan Hospitality Group