



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

September 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>CEO BULLETIN & NEWSLETTERS</u>
		CEO Bulletin: None.
		<u>BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS</u>
3		BMR/IBMR Weekly Reports: 09/01/23
		<u>INCOMING BOARD CORRESPONDENCE</u>
5		Board Correspondence Weekly Report: 09/01/23
8		Email from Sanchit Sharmaa to Chair Varela, dated 08/23/23, following up on status of investigation into whether employees or consultants are using the Naturally Occurring Asbestos Management database. C-23-0210
15		Email from Luis Ramirez to Chair Varela, dated 08/24/23, regarding unhouse in Gilroy along Highway 101 and Leavesley Road. C-23-0211
16		Email from Eric Ha to Director Santos, dated 08/24/23, regarding fire started by unhoused in the creek behind residence. C-23-0212
19		Letter from AECOM to the board, dated 08/22/23, regarding pros and cons for release of retention held on small subcontractors Pacheco Reservoir Expansion Project. C-23-0213
21		Email from Rea Freedom to the board, dated 08/25/23, regarding Pacheco Dam. C-23-0214
22		Email from Terah James to Director Eisenberg, dated 08/26/26, regarding Palo Alto Daily Post story on Chinese Government interest in water associated with the Pacheco Reservoir Expansion project. C-23-0215
25		Email from Amar James to the board, dated 08/29/26, transmitting a San Jose Spotlight news article regarding the outcome of a City of San Jose transparency lawsuit.
		<u>OUTGOING BOARD CORRESPONDENCE</u>
		None.

BOARD MEMBER REQUESTS and Informational Items

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
I-23-0023	08/21/23	Eisenberg	Gibson	Lugo	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.	09/10/23		
I-23-0024	08/22/23	Eisenberg	Yoke	Ndah	Director Eisenberg requests that the current restroom signs inside the visitor's center at the SVAWPC be replaced with the non-binary symbol.	09/11/23		
R-23-0010	08/08/23	Beall	Yoke	Mcelroy	Director Beall requested that staff look at the feasibility of VTA supplying transit passes (or clipper cards) for employees and family members.	08/29/23		
R-23-0011	08/08/23	Eisenberg	Taylor	Chinte Salandan an	Director Eisenberg requested a report on BAO travel for the last year, including costs and how time was charged.	08/29/23		
R-23-0012	08/22/23	Hsueh	Hakes	Bourgeois	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.	09/12/23		
R-23-0013	08/22/23	Beall	Baker	Williams	Staff to investigate if the small empty pond on Sunnyside Avenue in Campbell, between the fire department and the training facility, can be used by the city and the fire department.	09/12/23		
R-23-0014	08/22/23	Beall	Baker	Williams	Staff to investigate if other small empty ponds within the City of Campbell can be used for other purposes.	09/12/23		
R-23-0015	08/22/23	Hsueh	Baker	Gin	Staff to work with the Sierra Club to set up information meeting for the public relative to the November 2023 and/or February 2024 Delta Conveyance Project Board agenda item update.	09/17/23		

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-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
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-23-0101	05/12/23	05/12/23	All	STEVE KELLY	Email from Steve Kelly, to the Board, dated 5/12/23, regarding concern for unhoused that may cause threats to residents living near the creeks in Santa Clara.	Refer to Staff	Blank Yerrapotu	Codianne	05/20/23	05/22/23	n/a	05/26/23
C-23-0207	08/16/23	08/16/23	All	KENNETH MURRAY	Email from Kenneth Murray to board, dated 8/16/23, regarding dead trees along trail on Almaden Expressway.	Refer to Staff	Hakes	Infante Bourgeois	08/24/23	08/24/23	n/a	08/30/23

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
C-23-0210	08/23/23	08/23/23	Varela	SANCHIT SHARMAA	Email from Sanchit Sharmaa to Chair Varela, dated 8/23/23, requesting an update to investigaton on alleged unauthorized use of Naturally Occurring Management Database (NOA) at Anderson Dam Seismic Retrofit Project.	Refer to Staff	Richardson Yerrapotu	Mccarter	08/31/23	-	n/a	09/06/23
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-23-0212	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

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-23-0213	08/22/23	08/22/23	All	ROBERT GREEN AECOM	Letter from Robert Green, Project Manager, AECOM to the Board, dated 8/22/23, regarding Pros and Cons for Release of Retention Held on Small Subcontractors Pacheco Reservoir Expansion Project.	Refer to Staff	Richardson Yerrapotu	Mccarter	08/30/23	-	n/a	09/05/23
C-23-0217	08/31/23	08/31/23	All	JONATHAN FLEMMING	Email from Jonathan Fleming from Councilmember Doan's office requesting funding for Vietnamese Heritage Garden	Refer to Staff	Callender Gibson	Lugo	09/08/23	-	n/a	09/14/23

Michele King

From: Board of Directors
Subject: FW: Follow-Up: Status of Investigation
Importance: High

From: sanchit@sansoftims.com <sanchit@sansoftims.com>
Sent: Wednesday, August 23, 2023 1:55 PM
To: John Varela <jvarela@valleywater.org>
Cc: Board of Directors <board@valleywater.org>; Michele King <MKing@valleywater.org>
Subject: Follow-Up: Status of Investigation
Importance: High

*** 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. ***

Respected Mr. John L. Varela ,

Sir,

I trust this email finds you in good health. I wanted to reach out for a brief update regarding the matter I discussed in my previous communications. I remain grateful for your prompt attention and the commitment shown by Valley Water in addressing the issue.

As we previously discussed, I am eagerly awaiting news about the outcome of the investigation and the subsequent actions that will be taken to resolve the matter. While I understand that these processes can be time-consuming, I would greatly appreciate any information you can provide regarding the current status of my request.

Thank you once again for your ongoing efforts and attention. I am looking forward to hearing from you soon with an update.

regards

Sanchit Sharmaa

Technical Manager
+919811573515
sanchit@sansoftims.com



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Sansoft IMS Dedicated to your dreams....Directed by your needs....

From: sanchit@sansoftims.com [<mailto:sanchit@sansoftims.com>]
Sent: Tuesday, July 4, 2023 4:42 PM
To: 'John Varela'
Cc: 'Board of Directors'; 'Michele King'
Subject: Thanks for the prompt attention to the matter
Importance: High

Respected Mr. John L. Varela ,

Sir,

I am writing to acknowledge the receipt of your email and express my gratitude for Valley Water's prompt attention to the matter.

I am pleased to learn that Valley Water has initiated an investigation into the issue . I am confident that Valley Water's diligent investigation will lead to the identification of any unauthorized access and provide a clear resolution to this issue. If there is any further information or assistance required from my end to aid in the investigation, please do not hesitate to reach out to me.

Once again, thank you for taking this matter seriously and for providing updates on the investigation. I trust that Valley Water will handle the situation with the utmost professionalism and transparency.

Looking forward to hearing from you with the outcome of the investigation and the necessary actions taken to address the matter.

regards

Sanchit Sharmaa

Technical Manager
+919811573515
sanchit@sansoftims.com



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From: Michele King [<mailto:MKing@valleywater.org>] **On Behalf Of** Board of Directors
Sent: Tuesday, July 4, 2023 1:53 AM
To: sanchit@sansoftims.com
Subject: RE: Urgent: Unauthorized Use of Naturally Occurring Management Database (NOA) at Anderson Dam Seismic Retrofit Project

Sent on Behalf of Chair Varela:

Dear Sanchit Sharma,

Santa Clara Valley Water District (Valley Water) has received your email and has begun investigating the issue. At this time, Valley Water is unaware of any employees or consultants using the Naturally Occurring Asbestos (NOA) Management database developed by Sansoft IMS for the Calaveras Dam Replacement Project. Valley Water has formally contacted the consultant team performing the sampling and testing of NOA samples and provided your correspondence regarding alleged unauthorized use of the NOA database developed by Sansoft IMS.

Sincerely,

John L. Varela
Chair, Board of Directors

C-23-0139

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

From: sanchit@sansoftims.com <sanchit@sansoftims.com>
Sent: Wednesday, June 21, 2023 4:57 AM
To: John Varela <jvarela@valleywater.org>
Cc: Board of Directors <board@valleywater.org>
Subject: Urgent: Unauthorized Use of Naturally Occurring Management Database (NOA) at Anderson Dam Seismic Retrofit Project
Importance: High

*** 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. ***

Kind Attn: Valley Water Board of Directors *Chair* **John Varela**
Chief Executive Officer of Valley Water **Rick Callender**

Respected Sir,

I hope this email finds you well. My name is **Sanchit Sharma, Technical Manager at Sansoft IMS**, and I am writing to you today to address a matter of utmost importance regarding **the unauthorized use of the Naturally Occurring Asbestos Management database (NOA) developed by Sansoft IMS for the Calaveras Dam Replacement Project at your facility**, specifically the Anderson Dam Seismic Retrofit Project.

In my previous email, I briefly introduced myself and expressed my intention to establish communication with higher authorities. The primary purpose of this correspondence is to bring to your attention the serious concern surrounding the unauthorized utilization of the NOA database by an employee at your organization who was involved in the Calaveras Dam Replacement Project and had access to the NOA database.

To my dismay, it has come to my attention that the **Asbestos TEM Laboratory**, responsible for testing NOA samples for the Anderson Dam Seismic Retrofit Project, has been using the NOA Database and providing NOA Sample Analysis reports generated by the NOA Lab Module to your facility in an unauthorized manner. It is important to emphasize that these reports were specifically developed for the Calaveras Dam Replacement Project and should not be used without explicit authorization.

I want to underscore the significance of this matter and request that you immediately undertake a thorough investigation to identify the responsible parties and cease the unauthorized use of the Naturally Occurring database (NOA) application at your facility. As the rightful owner and developer of the database, Sansoft IMS takes the protection of intellectual property and data integrity with utmost seriousness. Unauthorized use not only infringes upon our rights as the developer but also poses substantial risks in terms of data accuracy, consistency, and confidentiality.

I fully comprehend the potential complications and risks that arise from unauthorized usage and the detrimental implications it could have on your organization's reputation. By addressing this matter promptly, we can prevent any potential legal or ethical consequences that may arise from the unauthorized use of the NOA database.

Therefore, I kindly request that you take immediate action to investigate this issue, identify the responsible parties, and enforce appropriate measures to halt the unauthorized utilization of the NOA application at your facility.

I am readily available to provide any additional information or clarification you may require to address this situation effectively. Please do not hesitate to reach out to me. I eagerly await your prompt response and cooperation in resolving this urgent matter.

Thank you for your immediate attention to this critical issue.

Sincerely,

Sanchit Sharmaa

Technical Manager
+919811573515
sanchit@sansoftims.com



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From: sanchit@sansoftims.com [<mailto:sanchit@sansoftims.com>]
Sent: Wednesday, June 7, 2023 4:06 AM
To: 'jvarela@valleywater.org'
Cc: 'Board@valleywater.org'
Subject: Introduction Sansoft IMS - Naturally Occurring Asbestos (NOA) Air Monitoring Database System
Importance: High

Kind Attn: Valley Water Board of Directors *Chair* **John Varela**
Chief Executive Officer of Valley Water **Rick Callender**

Respected Sir,

I am writing to introduce **Sansoft IMS** and share some information about our work on the '**Naturally Occurring Asbestos Program Database**' project for the **Calaveras Dam Replacement Project (CDRP)**. My name is **Sanchit Sharmaa**, and I had the privilege of leading the team at Sansoft IMS as Technical Manager on this important project. We worked alongside Dr. Wayne Berman, as well as with SFPUC and Black & Veatch from 2012 – 2018 on this project (Till the completion of the project).

As you may know, The Calaveras Dam Replacement Project(CDRP) was an infrastructure initiative that involved the construction of a new dam to replace the existing Calaveras Dam, located in Alameda County, California, United States. The project aims to improve the seismic safety of the dam and increase its capacity to ensure a reliable water supply for the region.

The Calaveras Dam Replacement Project took place in an area where NOA was identified as a potential environmental concern. This meant that precautions and mitigation measures needed to be implemented to address the presence of asbestos during the construction activities.

Sansoft IMS role in this project was to develop a comprehensive custom Naturally Occurring Asbestos (NOA) Air Monitoring Database System, in order to ensure the safety of workers and protect the environment. The Database Management system implemented comprise of 3 modules i.e. Field Module , Lab Module and Data consolidation and MIS module are critical components of the Naturally Occurring Asbestos Program Database project implemented at Calaveras Dam Replacement

- **Field Module :** Keeping records of collected samples include Construction Activity Area (CAA) Samples, Perimeter Samples, Ambient Air Samples, Personal Breathing Zone Samples , and meteorological data.
- **Lab Module :** Implemented at Labs (Sample testing units), to keep track and records of all samples tested at their end. Two microscopic examination techniques were used to analyse the CDRP air samples, namely Phase Contrast Microscopy (PCM) and Transmission Electron Microscopy (TEM). System analysed and maintained records of all the analysis conducted by the Labs using different methods, including
 - **PCM-NIOSH 7400**
 - **TEM-CARB/AHERA**
 - **TEM-NIOSH 7402**
 - **TEM-CARB/NIOSH 7402**
 - **TEM-ISO 10312.**
- **Data consolidation and MIS Module:** Project used to guide decision-making and risk management throughout the project's lifespan.

Our team's expertise in database development and management, coupled with our deep knowledge of NOA management, make us uniquely positioned to provide this valuable tool to facilities around the world that need to manage NOA risks.

I believe that your knowledge and experience in the field could be very valuable in helping me identify the appropriate individual or team to discuss with how Sansoft IMS can assist you with NOA management.

Thank you for your time and consideration, and please do not hesitate to contact me if you have any questions or if there is anything further I can assist you with. I look forward to hearing from you soon.

regards

Sanchit Sharmaa

Technical Manager
+919811573515
sanchit@sansoftims.com



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Michele King

From: Candice Kwok-Smith
Sent: Thursday, August 24, 2023 8:06 AM
To: Michele King
Subject: FW: Homeless in Gilroy

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Michele,

Please see the board correspondence below for Chair Varela.

Thanks,
Candice

Begin forwarded message:

From: Luis Ramirez [REDACTED]
Date: August 24, 2023 at 7:36:42 AM PDT
To: John Varela <jvarela@valleywater.org>
Subject: Homeless in Gilroy

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Hello John

My name is Luis Ramirez and I live in Gilroy along with being a commissioner for Gilroy Parks and Rec. I believe we may have met some time in the past and I know we have mutual acquaintances.

I am writing you for assistance on how we can best clean up the entrance to Gilroy of 101 on Leavesley Road. I understand you have some oversight/responsibility for Valley Water property in our area and the unhoused folks who are gathered off the freeway on VW property seem to me to pose some kind of sanitation issues around the area.

Could you please comment.

Thank you

Luis Ramirez

Michele King

Subject: FW: Fire in middle of the night
Attachments: Video_3.mov; Video.mov

From: Echbha [REDACTED]
Sent: Thursday, August 24, 2023 6:29 AM
To: Richard Santos <rsantos@valleywater.org>; Mayor Office <mayor@sanjoseca.gov>; District 4 Office <District4@sanjoseca.gov>; Beauty San Jose <beautifysj@sanjoseca.gov>; Homeless Concern <homelessconcerns@sanjoseca.gov>
Subject: Fire in middle of the night

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Hello all,
This is an update from previously email.
This person keeps on starting fires in the middle of the night during which time people are sleeping.
This is an extremely dangerous , please send someone to talk to this person. Attached are video and picture files.



Regards
EH

On Aug 19, 2023, at 7:22 AM, Echbha [REDACTED] wrote:

Hello all,

Last night at 1:45 am, an individual at this tent site lit a fire and walked away. Please see the attached video files. The Fire department came and put the fire away.

Please do something before this neighborhood goes up in flame. Many tall trees and dry grass in the area.



Thank-you and regards

EH

Begin forwarded message:

From: Echbha [REDACTED]
Date: August 9, 2023 at 8:41:25 AM PDT
To: District4 <District4@sanjoseca.gov>, HomelessConcerns <homelessconcerns@sanjoseca.gov>, beautifysj <beautifysj@sanjoseca.gov>
Subject: Homeless encampment

There's a homeless encampment appearing again next to the wall in my back yard. Constant drug use, noise, fighting, and fire lighting occurring daily. I'm really worried about the safety of my family and neighbors. Please help !

[REDACTED]
2128 Commodore Drive
San Jose, Ca 95133
Thank-you and regards



August 22, 2023

Valley Water Board of Directors
Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118
Board@ValleyWater.org

Subject: **Pros and Cons for Release of Retention Held on Small Subcontractors
Pacheco Reservoir Expansion Project**

Dear Board:

We have prepared this letter in response to a request by the Board [Valley Water Board Meeting, 8/8/23, Item 4.10 (Consent Calendar), File # 23-0711] to provide pros and cons to the retention release held on small subcontractor for the Pacheco Reservoir Expansion Project. We have evaluated the withholding and release of retention on this project and more broadly, the reasoning for having or not having retention in a professional services contract. First, we will discuss the history and purpose of retention and the little value that it adds to a project. Then we will discuss specific reasons that we believe portions of the retention should be released on this project.

Overall reasons, especially for small subcontractors:

- The practice of withholding retention originated as a means to help protect owners against contractor insolvency. For this project, the prime contractor, AECOM, has ample professional liability insurance as well as very strong corporate financial reserves. Withholding retention provides very little additional protection to Valley Water. In addition, AECOM remains fully responsible for the work of our subs, so withholding retention on amounts due to them offers very little additional value to Valley Water.
- The purpose of retention is to provide assurance to the District that work will be satisfactorily completed with no remaining or outstanding issues. Once a phase of fieldwork has been completed and the site restoration accepted by the District, this assurance is no longer needed for that portion of the work.
- Holding retention for a long period is a financial hardship, especially for small companies. They need to pay their employees and suppliers promptly and holding back 10% of their fees leaves them short of funds, which can result in needing to borrow money.
- On a long-term contract, withholding retention essentially represents a long-term loan from the consultant and subconsultants to the District. This creates cash flow issues, and any delays effectively extend the term of the loan, making the issue worse.
- Valley Water has a history of supporting small businesses and withholding retention on work they perform is counterproductive to this worthy goal.

Reasons why retention should be released for small subcontractors on this project:

- The original project schedule assumed that the fieldwork would be completed in 2021. The original project language allowed for release of retention for small business contractors one year after completion of their work on the project. This would have allowed for release of their retention in 2022. The first phase of fieldwork was completed in 2020. Due to delays associated with private property access, expansion of the project to new areas, and additional environmental constraints, all of which are not the fault of the subcontractors, the fieldwork will not be completed until at least until 2024, which under the original contract language would not allow release of retention related to any of the fieldwork tasks until 2025, more than 5 years after some of the work was performed.
- Some subcontractors may decline to take on additional work on the project, in order to expedite release of their retention on prior work that was completed. One drilling subcontractor has already declined additional fieldwork on this project so they can instead work on other projects that have better financial terms. Another subcontractor has declined to perform any additional work until paid for their outstanding retention on work completed more than two years ago.

We understand that making changes in the retention terms on this contract could set a precedent that would result in additional requests for retention release on other contracts. However, as described above, the current retention requirements are onerous. We recommend that the District reevaluate the terms on this and other contracts, especially with regard to retention on small businesses and subs performing small roles on large, long-term contracts. We understand that changing the terms would result in the District releasing some retention funds sooner than under the existing contract terms. However, little justification exists for continuing to withhold payments once specific elements of work have been completed and accepted.

We hope that the above discussion provides sufficient information for staff to make a recommendation in support of releasing retention to our small business subconsultants and subcontractors and also to an out-of-state drilling subcontractor of ours who is not certified as small businesses by the State of California. Please let us know if there is any additional information that we can provide to Valley Water to expedite a decision on this matter.

Sincerely,



Robert K. Green, PE, GE
Project Manager

cc: Michele King, Valley Water
Ryan McCarter, Valley Water
Julianne O'Brien, Valley Water
Victor Gutierrez, Valley Water
Theodore Feldsher, AECOM

Michele King

From: Rea Freedom [REDACTED]
Sent: Friday, August 25, 2023 2:47 PM
To: Board of Directors
Subject: Pacheco Dam

Follow Up Flag: Follow up
Flag Status: Completed

*** 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. ***

Alarmed to hear that you are considering the unneeded, wasteful and environmentally disaterous Pacheco Dam project
With money from China. Shameful and wrong.
Rea Freedom

Michele King

From: Terah James [REDACTED]
Sent: Saturday, August 26, 2023 2:51 PM
To: Rebecca Eisenberg; Terah James
Cc: Board of Directors; Michele King
Subject: Re: Today's Front Page Daily Post (Water) news story

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. *****

Thank you, Rebecca. I'm glad I voted for you. Though I never thought I'd have to contact you about anything, I've rooted for you, since Day One.

I'm glad The Post reported this story. The San Jose Mercury News published an article about this too, in today's issue (Sat. Aug.26).

I believe it's of utmost importance to be mindful of what foreign governments are doing all over the United States, particularly as it pertains to land.

The Daily Post was also the first publication to report that the son of Vladimir Putin's former Energy Minister is attempting to build two "towers" taller than the Statue of Liberty, in Menlo Park, on property he now owns but that had, for years, housed Sunset Magazine's headquarters.

It's not the height that concerns me about that proposal as much as the fact that we know how easy it is to spy all over America. Why make it easier?

A man I know who was born in the Philippines told me that the run-down, tarp covered old church in San Jose, owned by the Chinese government and about which their mayor is so upset, is likely being used for spying. He said that happens all over the Philippines; perhaps it only looks abandoned.

While land is important, water is not an option, to sustain life. Thank you, for the meeting link, for your work and for responding to me so quickly. We are in good hands, with you on the Water Board.

Best regards,
TJ James

On Friday, August 25, 2023 at 07:10:50 PM PDT, Rebecca Eisenberg <reisenberg@valleywater.org> wrote:

Dear Terah,

Having just now read the article, I can tell you that I have not been appropriately briefed on this situation. The first I heard of a potential deal involving the government of China or any Chinese entity was at Tuesday's meeting. Braden Cartright's summary matched my recollection of what transpired at the meeting, and I (and I believe at least some of my colleagues, but I cannot know for sure) was shocked to hear about potential deal, given the conservation focus of our District, the clear need of ratepayers for water locally, and of course, as the CEO admitted, the legal questions that would surround such a potential deal.

The video for this meeting is at this

link: https://scvwd.granicus.com/MediaPlayer.php?view_id=3&clip_id=2110

I promise you that, in response to your email to me and the many other incoming contacts I have received today regarding this article, that I will initiate a board inquiry into this matter regarding the name of the private developer that contacted our CEO and more details surrounding the nature of that discussion.

As always, please feel to contact me with more comments or questions. I greatly appreciate your reaching out to me directly and commit to do all I can to serve our community, especially because I know that we all work hard to pay our taxes and rates that our entrusted by the agency that I was elected to oversee. I take this oversight responsibility very seriously and hope to return with more information.

With warm regards,
Rebecca Eisenberg
415-235-8078
Palo Alto, CA

Closed Session and Special Board Meeting - Aug 22nd, 2023

Live and Recorded Public meetings of Closed Session and Special Board Meeting for Santa Clara Valley Water District

scvwd.granicus.com

Rebecca Eisenberg, Esq.
Director, District 7
Santa Clara Valley Water District
www.valleywater.org
415-235-8078
reisenberg@valleywater.org

From: Terah James [REDACTED]
Date: August 25, 2023 at 1:37:19 PM PDT
To: Rebecca Eisenberg <Reisenberg@valleywater.org>, Terah James [REDACTED]
Subject: Today's Front Page Daily Post (Water) news story

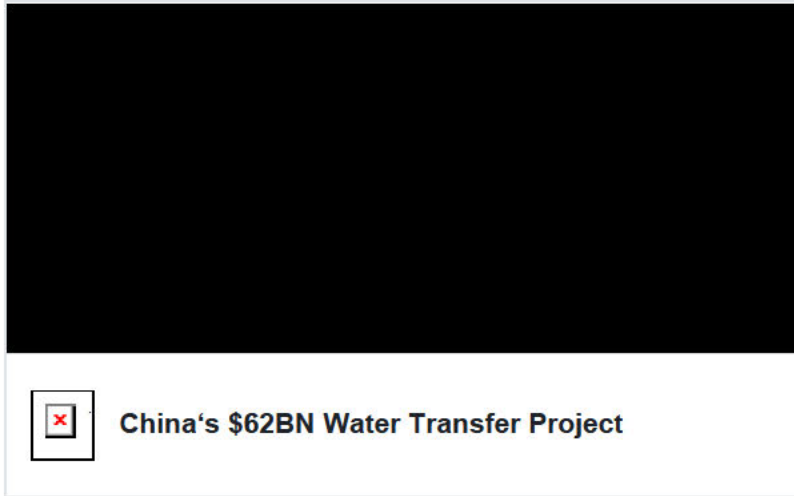
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Hello Rebecca,

Please, will you tell me where I might find more information about the news article in today's Daily Post Newspaper (Palo Alto) about the local developer that has access to Chinese Government money and who wanted to purchase

Valley water, for resale? I find this very troubling. I cannot find anything about this news, anywhere else. But I did find this project below. If you can please shine light on it for me, I will be grateful. Thank you, TJ James

[China's \\$62BN Water Transfer Project](#)



Michele King

From: Aram James [REDACTED]
Sent: Tuesday, August 29, 2023 9:32 PM
To: Molly Stump; Ed Shikada; City Council; Human Relations Commission; Rebecca Eisenberg; Board of Directors; Greg Tanaka; Julie Lythcott-Haims; Vicki Veenker; Dave Price; Emily Mibach; Braden Cartwright
Subject: A big victory!
Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Reader,

Today is a big day. Today a judge ruled that San Jose and former Mayor Sam Liccardo violated state transparency laws by failing to adequately search private texts and emails for public records. This major decision comes after San José Spotlight and the First Amendment Coalition sued the city and former mayor in 2022.

The ruling marks a clear victory for transparency, journalism and the public's right to know -- and it's vindication in our dogged fight to shed light on wrongdoing and hold the powerful accountable.

[READ MORE HERE](#)

We took on this monumental fight because of our convictions that you -- our readers -- deserve to know what your government officials are doing, how decisions are made and how the city interacts with lobbyists and special interests. This is why we exist.

This ruling is a wake-up call for San Jose City Hall. Officials in Silicon Valley and across the state should use or copy a government account when conducting public business, as suggested by the California Supreme Court. San Joseans deserve a transparent, honest and accountable government -- and we won't stop fighting for it.

Sincerely,
Ramona Giwargis
Co-Founder and CEO

Join our fight to increase government transparency and hold power to account by making a special gift to support our legal efforts.

YES, I'll support San José Spotlight

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