



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

October 13, 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: 10/13/23
4		Memo from Don Rocha, Acting CEA, to Rick Callender, CEO, dated 10/6/23, providing a copy of Central Coast Water Agency Collaboration Forum Invitations from Chair Varela to ACWA 5 Region Members.
6		Memo from David Cahen, Risk Manager, to board, dated 10/10/23, providing Risk Management Communications.
16		Water Tracker Report – October 2023
		<u>INCOMING BOARD CORRESPONDENCE</u>
19		Board Correspondence Weekly Report: 10/13/23
23		Email from Jim Kuhl to Director Beall, dated 10/4/23, conveying questions regarding the 2050 Water Supply Master Plan and Water Conservation Compliance. C-23-0246
24		Email from Aram James to the board, dated 10/5/23, providing a link to an article on the largest dam removal in history. C-23-024 [REDACTED]
25		Email from Chris Kouretas to Director Beall, dated 10/3/23, regarding the homeless issues on Highway 87 and Willow. C-23-0248
26		Email from Kelly Cure to Director Eisenberg, dated 10/5/23, regarding Silicon Valley Leadership Group event follow up. C-23-0249
27		Email Paul Tatsuta to Director Hsueh, dated 10/6/23, expressing appreciation for assisting with his excessive vibrations experienced during the steel pile installation on the Calabazas Creek Rehabilitation Project. C-23-0250
		<u>OUTGOING BOARD CORRESPONDENCE</u>
33		Email from Director Hsueh to Paul Tatsuta, dated 10/6/23, responding to his concerns regarding the excessive vibrations experienced during the steel pile installation work on the Calabazas Creek Rehabilitation Project.

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
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		
I-23-0028	10/05/23	Beall	Gibson Baker	Broome	Provide Director Beall with a briefing on federal and state transportation funding efforts for the B.F. Sisk Dam Raise project.	10/25/23		
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	CEO 2023 travel with the following: For each time away, please provide: 1. Dates 2. Locations traveled to 3. Total cost 4. Whether the district paid in part or in whole (how much, and was it as a legitimate business expense or as a taxable perk) 5. If for official reasons, if not clear from the outside, please provide a brief (one sentence or even partial sentence is fine) description of the nexus -- e.g. "met with these senators in washington dc: warren, booker, and feinstein" 6. If the district only paid in part, I do not need to know what was happening during the personal time 7. Please provide the budget for travel for that time period and how the actuals compared with the budgeted (this should be very simple)	08/29/23		10/11/23 Information Only: BMR request was updated to change from BAO travel information to only CEO: CEO 2023 travel with the following: For each time away, please provide: 1.Dates 2.Locations traveled to 3.Total cost 4.Whether the district paid in part or in whole (how much, and was it as a legitimate business expense or as a taxable perk) 5.If for official reasons, if not clear from the outside, please provide a brief (one sentence or even partial sentence is fine) description of the nexus -- e.g. "met with these senators in washington dc: warren, booker, and feinstein" 6.If the district only paid in part, I do not need to know what was happening during the personal time 7.Please provide the budget for travel for that time period and how the actuals compared with the budgeted (this should be very simple); 09/08/23 Information Only: Two additional weeks need. Anticipated completion date of September 22.
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		10/03/23 Information Only: This request will be responded to during the 11/14 or 12/5 board meeting.; 09/19/23 Information Only: This request will be responded to on the 10/24/23 board agenda.; 09/15/23 Information Only: Staff requires a few more days to respond to this request. Anticipated completion date 9/22/23.
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		10/03/23 Information Only: This request will be responded to during the 11/14 or 12/5 board meeting.; 09/19/23 Information Only: This BMR will be responded to on the 10/24/23 Board agenda.; 09/15/23 Information Only: Staff requires a few additional days to complete this request. Anticipated completion date 9/22/23.

TO: Rick L. Callender, Esq.
Chief Executive Officer

FROM: Don Rocha
Assistant Officer
Acting for Rachael Gibson
Chief of External Affairs

SUBJECT: Central Coast Water Agency Collaboration
Forum Invitation from Valley Water Board
Chair John L. Varela to ACWA 5 Region
Members

DATE: October 6, 2023

Attached to this memorandum is a letter from Chair John L. Varela to ACWA Region 5 members to solicit interest in collaborating on a forum for exploring issues of mutual interest in the Central Coast region. The letter was sent electronically to ACWA Region 5 members on behalf of Chair Varela on October 4, 2023.



Don Rocha
Assistant Officer
Acting for Rachael Gibson
Chief of External Affairs

October 4, 2023

BOARD OF DIRECTORS

[John L. Varela](#) / Chair (District 1)

[Barbara F. Keegan](#) / Vice Chair (District 2)

[Richard P. Santos](#) (District 3)

[Jim Beall](#) (District 4)

[Nai Hsueh](#) (District 5)

[Tony Estremera](#) (District 6)

[Rebecca Eisenberg](#) (District 7)

CHIEF EXECUTIVE OFFICER

[Rick L. Callender, Esq.](#)

CLERK OF THE BOARD

[Michele L. King, CMC](#)

Subject: Central Coast Water Agency Collaboration Forum.

Dear Members of ACWA Region 5:

Santa Clara Valley Water District (Valley Water) is gauging interest in starting a collaboration forum for water agencies in California's Central Coast region.

Valley Water, as the primary water provider to Silicon Valley and a vibrant agricultural community, manages an integrated water resources system that includes the supply of clean, safe water, flood protection and stewardship of streams in Santa Clara County. Our success in meeting this mission is often the result of collaborations with other agencies, associations, non-governmental agencies, joint powers authorities, and elected officials.

Water agencies throughout the Central Coast share many similarities, including a responsibility to balance municipal and agricultural interests. Due to our unique geography and climate, we also face many of the same challenges in maintaining water supply reliability in the areas we serve, such as an uncertain regulatory future, a changing climate, and pressure to provide affordable service. These circumstances lend themselves to being creative, perhaps through new partnership opportunities.

Please respond to Ms. Roseryn Bhudsabourg at (408)630-3099 or rbhudsabourg@valleywater.org if a Central Coast collaboration forum would be of value to you. If there is sufficient interest, we will explore next steps and follow up with you. Thank you for your consideration.

Sincerely,



John L. Varela
Board Chair
Santa Clara Valley Water District

cc: Board of Directors (7), R. Callender
ka:sd
1002a-l





MEMORANDUM

FC 14 (01-25-23)

TO: Board of Directors

FROM: David Cahen

SUBJECT: Risk Management Communication

DATE: October 10, 2023

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

Please find the following:

- 1) September 11, 2023 – Letter acknowledging receipt of claim to Michael Duffy.
- 2) September 14, 2023 – Claim Settlement letter to Charmaine and Man Leung (District 5)
- 3) September 27, 2023 – Letter acknowledging receipt of claim to Miguel Alvarado-Martinez (District 3)
- 4) September 28, 2023 – Claim Settlement letter to John D. Teter (District 5)
- 5) October 6, 2023 – Claim Settlement letter to Sharon Perry (District 5)

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

DocuSigned by:

A handwritten signature in black ink that reads "David Cahen".

62E0EF69C39D435...

David Cahen

Risk Manager

Risk Management Unit



Clean Water • Healthy Environment • Flood Protection

September 11, 2023

Michael Duffy
104 Los Altos Ct.
Santa Cruz, CA 95060

Re: Receipt of Claim – L2340003

Dear Mr. Duffy:

We received your claim regarding Medicare reimbursement.

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,

DocuSigned by:

62E0EF69C39D435...
David Cahen
Risk Manager
Risk Management Unit





CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT

California Government Code Sections 900 and following

Page 1 of 2

<p>The completed form can be mailed, sent electronically or hand delivered. Mail or deliver to:</p> <p>Clerk of the Board Santa Clara Valley Water District-HQ 5700 Almaden Expressway San Jose, CA 95118</p> <p>Or submit the completed form electronically to: clerkoftheboard@valleywater.org</p>	Clerk of the Board's Date Stamp	
	For SCVWD Use Only	
	Date Received: 9/11/23	ROUTING
	<input type="checkbox"/> Via U.S. Mail	<input checked="" type="checkbox"/> CEO
	<input checked="" type="checkbox"/> Hand Delivered	<input checked="" type="checkbox"/> District Counsel
	<input type="checkbox"/> Email	<input checked="" type="checkbox"/> Risk Management
<input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> COB	
	<input type="checkbox"/> BOD (District #): _____	

With certain exceptions, claims for personal injury or property damage MUST be filed within six months of the incident giving rise to the claim. Claimant must complete each section. If information is unknown, write "unknown" in the appropriate box. Please use additional pages if necessary. Please attach itemized receipts, witness statements, photos and all other documentation that you believe will be helpful to process your claim. Claimant MUST sign and date the form; see last page.

Name of Claimant: Michael Duffy		Email Address: zavaduff1994@gmail.com	
Address of Claimant: 104 Los Altos Ct.		City: Santa Cruz	State: CA
		Zip: 95060	
Address to which Notices should be sent, if different from above:		City:	State:
		Zip:	
Home Phone Number:	Cell Phone Number: 831-239-8471	Work Phone Number:	
Is this claim being filed on behalf of a minor? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If so, please indicate minor's date of birth: Relationship to the minor:	
Date and time of incident or loss: August 18, 2023 at 4:57 PM	Location of incident or loss (address): NA	Is there a police report? <input type="checkbox"/> Yes If Yes, Police Report Case #: <input checked="" type="checkbox"/> No	

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):

At 4:57 PM on August 18, 2023, I received an email from Ms. Christina Madden of Valley Water informing me that Valley Water does not "reimburse for Medicare Part D, which is prescriptions. Ms. Madden's email was sent in response to my submittal of my request for reimbursement of my costs to pay for my prescription drug insurance coverage that Valley Water and their insurance provider, Blue Shield, had signed me up for through Medicare. The total payments that I have made to Medicare to date are \$152.10. Per Valley Water's MOU with the Professional Managers Association, Valley Water is required to pay my insurance premiums in order to provide me with the same health benefits that it provides to its active regular full time employees and, because I was hired prior to December 31, 2006, to do so without requiring premium sharing. By not reimbursing me for my premium payments, I am being required to pay for my prescription drug coverage myself and am not receiving the "same health benefits" as regular employees that was contractually agreed to in the MOU.

As I was unable to edit this form to fully describe my claim, a full description of this situation and my basis for this claim is attached, including the related Medicare Premium Bills and the my request for premium reimbursements and Valley Water's amended reimbursement form showing the subtraction of \$152.10.



CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT

California Government Code Sections 900 and following

Page 2 of 2

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

Valley Water is refusing to reimburse me for Medicare Premium Bill payments that total \$152.10. Per Valley Water's MOU with the Professional Managers Association, Valley Water is required to pay my insurance premiums in order to provide me with the same health benefits that it provides to its active regular full time employees and, because I was hired prior to December 31, 2006, to do so without requiring premium sharing. By not reimbursing me for my premium payments, I am being required to pay for my prescription drug coverage myself and am not receiving the "same health benefits" as regular employees that was contractually agreed to in the MOU.

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

Christina Madden -408-265-2600
 Jennifer Arias - 408-265-2600
 Kristen St. Thomas -408-265-2600

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

ITEMS	CLAIM AMOUNT
1. 06/28/23 Medicare Premium Bill Part D IRMAA	\$101.40
2. 07/28/23 Medicare Premium Bill Part D IRMAA	\$50.70
3.	\$
4.	\$
TOTAL AMOUNT	\$152.10

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

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

Signed this 9th day of September, 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.



Clean Water • Healthy Environment • Flood Protection

September 14, 2023

Charmaine and Man Leung
12550 Brookglen Drive
Saratoga, CA 95070

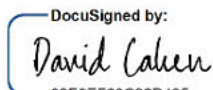
Re: Settlement – L2230022

Dear Mr. and Mrs. Leung :

Enclosed is the final settlement check regarding the above-mentioned claim. The total amount of the settlement is \$5,991.62.

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

Sincerely,

DocuSigned by:

62E0EF69C39D435...
David Cahen
Risk Manager

Enc: Settlement Check #503961





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September 27, 2023

Miguel Alvarado-Martinez
865 N 17th St.
San Jose, CA 95112

Re: Receipt of Claim – L2340002

Dear Mr. Alvarado-Martinez:

We received your claim regarding relocation assistance and payment.

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,

DocuSigned by:

A handwritten signature in black ink that reads "David Cahen".

62E0EF69C39D435...

David Cahen
Risk Manager
Risk Management Unit





CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT

California Government Code Sections 900 and following

Page 1 of 2

<p>The completed form can be mailed, sent electronically or hand delivered. Mail or deliver to:</p> <p>Clerk of the Board Santa Clara Valley Water District-HQ 5700 Almaden Expressway San Jose, CA 95118</p> <p>Or submit the completed form electronically to: clerkoftheboard@valleywater.org</p>	Clerk of the Board's Date Stamp 09/25/23	
	For SCVWD Use Only	
	Date Received: 09/25/23	ROUTING
	<input type="checkbox"/> Via U.S. Mail	<input checked="" type="checkbox"/> CEO
	<input type="checkbox"/> Hand Delivered	<input checked="" type="checkbox"/> District Counsel
	<input checked="" type="checkbox"/> Email COB	<input checked="" type="checkbox"/> Risk Management
	<input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> COB
		<input type="checkbox"/> BOD (District #): _____

With certain exceptions, claims for personal injury or property damage MUST be filed within six months of the incident giving rise to the claim. Claimant must complete each section. If information is unknown, write "unknown" in the appropriate box. Please use additional pages if necessary. Please attach itemized receipts, witness statements, photos and all other documentation that you believe will be helpful to process your claim. Claimant MUST sign and date the form; see last page.

Name of Claimant: MIGUEL ALVARADO-MARTINEZ		Email Address: USACERT@USA.COM	
Address of Claimant: 865 N 17TH ST		City: SAN JOSE	State: CA
		Zip: 95112	
Address to which Notices should be sent, if different from above:		City:	State:
		Zip:	
Home Phone Number:	Cell Phone Number: (202) 830-0411	Work Phone Number:	
Is this claim being filed on behalf of a minor? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If so, please indicate minor's date of birth: Relationship to the minor:	
Date and time of incident or loss: September 23, 2023	Location of incident or loss (address): Valley Water property	Is there a police report? <input type="checkbox"/> Yes If Yes, Police Report Case #: <input checked="" type="checkbox"/> No	

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):

Claimant, claims damages by Valley Water, mass tort in form of a breached a contractual agreement and therefore liable to claimant. Claimant was denied relocation assistance, entitled to, including relocation payment(s). Claimant seeks to recover damages, as he bears the burden of proof, the consequential hardships, the discriminatory pattern of abuse by Valley Water continues and is ongoing. Claimant, now at a equitable economic loss, this claim and if a claim is not filed, insulted by the manner of silence by Valley Water, has affected claimant and there is a consequential manner that claimant feels has been mistreated, and by example, should administrative reckoning be a plan of future displacements by Valley Water, of that claimant has endured, he would not be filing this claim for the irreparable harm that a person can or will do to Valley Water for the negligence and assault that began with lies and promised of the most vulnerable. Claimant wants only a successful process of the Agency and the Special District and people of the city near the water. Relocation Payment(s) and or Relocation Assistance due to all construction projects, claimant is worth every measure of safety and does not deserve chain-saw scare tactics and murderous duress that property and people suppress one another in duress, with intimidation and concealments of wrongdoings caused by greed and hate.





CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT

California Government Code Sections 900 and following

Page 2 of 2

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

The accusation made by claimant are that :

✓ Accusation is that Valley Water and possibly it's contractors violated Claimants rights regarding unfair practices, breach and discrimination.

Claimant intends to invoice Valley Water in the amount of Safety, immense and exceeding the amount of dis-service that Valley Water instead has caused. Irreparable damages in a pattern of abuse that has unreasonably controlled & restrained claimants ability to acquire maintain economic resources that claimant is entitled to by contractual agreements simultaneously upholding laws of the City, County, State and the embedded Civil Code including Uniform Commercial Code (UCC).

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

Community Plan strategy 3 (improve quality of life) and the partnership opportunities available under Valley Water's renewed Safe, Clean Water Program. Valley Water is cause for investigation no more, and is to be considered In unlawful conduct by coercion, fraud and manipulation to restrict claimants access to money, assets, credit, including financial information and unfairly using claimants personal economic resources, including money, assets, and credit for Valley Water and the budget in form of a evil schem to defraud and taaking advantage of the People of The State of California causing to exert undue influence over claimants and with County and Citys financial and economic statistics

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

ITEMS	CLAIM AMOUNT
1.damages	\$25,000
2.relocation assistance	\$25,000
3.relocation payment	\$5,000
4.discrimination, legal fees	\$75,000
TOTAL AMOUNT	\$130,000

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

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

Signed this 25 day of September, 20 23

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.





Clean Water • Healthy Environment • Flood Protection

September 28, 2023

John D. Teter
19931 Durham Court
Saratoga, CA 95070

Re: Settlement – L2230039

Dear Mr. Teter:

Enclosed is the final settlement check regarding the above-mentioned claim. The total amount of the settlement is \$6,005.88.

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

Sincerely,

DocuSigned by:

David Cahen

62E0EF69C39D435...

David Cahen
Risk Manager
Risk Management Unit

Enc: Settlement Check #504753





Clean Water • Healthy Environment • Flood Protection

October 6, 2023

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

Re: Settlement – L2230040

Dear Ms. Perry:

Enclosed is the final settlement check regarding the above-mentioned claim. The total amount of the settlement is \$350.00.

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

Sincerely,

DocuSigned by:

62E0EF69C39D435...
David Cahen
Risk Manager
Risk Management Unit

Enc: Settlement Check #504969



Water Tracker

A monthly assessment of trends in water supply and use for Santa Clara County, California

Outlook as of October 1, 2023

Valley Water received 100% allocations of water from the State Water Project (SWP) and the Central Valley Project (CVP) this year. On April 11, 2023, the Board of Directors replaced the mandatory call to reduce water use with a voluntary call for 15% water conservation compared to 2019. On June 13, 2023, the Board adopted a resolution to support water conservation as a way of life and an ordinance with a set of permanent water waste prohibitions for Santa Clara County.

Weather

- Rainfall in San José:
 - » Month of September, City of San José = 0.04 inches
- San José average daily high temperature was 80.2 degrees Fahrenheit in September, which is lower than the five-year average for September (82.2 degrees Fahrenheit)

Local Reservoirs

- Total October 1 storage = 47,363 acre-feet

Reservoir Storage	All Ten Valley Water Reservoirs	All Reservoirs Except Anderson
Storage as % of unrestricted capacity	29%	58%
Storage as % of restricted capacity (1)	76%	74%
Storage as % of the 20-year average for October 1	67%	141%

(1) Per the Federal Energy Regulatory Commission's order, the capacity of Anderson Reservoir was restricted to the deadpool storage as of October 1, 2020

- Approximately 1,120 acre-feet of imported water delivered into Calero Reservoir during September 2023
- Total estimated releases to streams (local and imported water) during September were 6,460 acre-feet (based on preliminary hydrologic data)

Treated Water

- Below average demands of 9,620 acre-feet were delivered in September
- This total is 92% of the five-year average for the month of September
- Year-to-date deliveries are 69,875 acre-feet or 90% of the five-year average

Groundwater

- Groundwater conditions remain healthy throughout the county. Groundwater levels in all regional monitoring wells except two are lower than last month due to normal, seasonal declines. All water levels are higher relative to September 2022 and all except one are higher relative to the prior five-year average for September. The end of 2023 groundwater storage is projected to be in Stage 1 (Normal) of the Water Shortage Contingency Plan

	Santa Clara Subbasin		Llagas Subbasin
	Santa Clara Plain	Coyote Valley	
September 2023 managed recharge estimate	7,000	1,200	3,100
YTD managed recharge estimate	61,800	10,200	15,400
YTD managed recharge as % of five-year average	170%	92%	103%
August 2023 pumping estimate	5,900	1,100	5,500
YTD pumping estimate	31,400	8,700	25,700
YTD pumping as % of five-year average	68%	115%	97%
Current index well groundwater levels compared to September 2022	23 Feet Higher	10 Feet Higher	38 Feet Higher

All volumes are in acre-feet. All data is for 2023 except where noted. YTD = Year-to-date.

Imported Water

- In September, the SWP operated Banks pumping plant with an average daily export of 8,805 acre-feet, resulting in a total export of 264,154 acre-feet from the Sacramento-San Joaquin Delta
- In September, the CVP operated Jones pumping plant with an average daily export of 7,559 acre-feet, resulting in a total export of 226,772 acre-feet from the Sacramento-San Joaquin Delta
- Releases are being made from San Luis Reservoir to supplement Delta Exports to meet south-of-Delta demands

WY 2023 Imported Water Allocations	Allocation	Allocation (acre-feet)	Details
SWP	100%	100,000	-
CVP	100% Ag 100% M&I	152,500 total	-
State-wide Reservoir Storage	Capacity	Current Storage (acre-feet)	Average for Date (as of 9/30/23)
Shasta Reservoir	73%	3,332,344	131%
Oroville Reservoir	73%	2,595,421	136%
San Luis Reservoir	81%	1,656,587	190%
Semitropic Groundwater Bank	Capacity	Current Storage (acre-feet)	Date of Data
	78%	273,418	8/31/23
Estimated SFPUC Deliveries	August 2023 (acre-feet)	2023 Total to Date (acre-feet)	Five-Year Annual Average (acre-feet)
	4,669	28,287	47,000

Conserved Water

- Saved 80,078 acre-feet in FY22 through Valley Water's long-term conservation program (baseline year is 1992)
- Long-term program goal is to save nearly 100,000 acre-feet by 2030 and 110,000 acre-feet by 2040
- On June 13, 2023, the Board adopted a resolution to support water conservation as a way of life in Santa Clara County and an ordinance with a set of permanent water waste prohibitions

Recycled Water

- Estimated September 2023 production = 1,781 acre-feet
- Estimated year-to-date through September = 12,444 acre-feet or 90% of the five-year average
- Silicon Valley Advanced Water Purification Center produced an estimated 1.6 billion gallons (4,803 acre-feet) of purified water in 2022. Since the beginning of 2023, about 3,456 acre-feet of purified water has been produced. The purified water is blended with existing tertiary recycled water for South Bay Water Recycling Program customers

Alternative Sources

- As of December 10, 2019, Valley Water's wastewater contract right from Palo Alto/ Mountain View remains at 11,200 acre-feet/year

CONTACT US

To find out the latest information on Valley Water projects or to submit questions or comments, email info@valleywater.org or use our **Access Valley Water** customer request system at <https://deliver.com/2yukx>.



FOLLOW US



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-23-0211	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

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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-23-0235	09/21/23	09/22/23	All	JESSICA CALDERON	Email from Jessica Calderon to the Board, dated 9/21/22 regarding the unhoused 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-23-0239	09/24/23	09/25/23	Beall	KATHLEEN O'CONNELL	Email from Kathleen O'Connell to the Director Beall, dated 9/24/23, regarding Water Resource Protection Zone at the upcoming Cherry Avenue EIH project.	Refer to Staff	Hakes	Codianne	10/03/23	09/27/23	n/a	10/09/23
C-23-0245	09/30/23	10/02/23	Hsueh	THOMAS LAWRENCE	Email from Thomas	Refer to Staff	Hakes	Codianne	10/10/23	10/06/23	n/a	10/16/23

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
					Lawrence to Director Hsueh, dated 9/30/23, regarding Calabazas Creek erosion and flood concerns.							
C-23-0246	10/04/23	10/05/23	Beall	JIM KUHL	Email from Jim Kuhl to Director Beall, received 10/4/23, regarding forcing water conseration compliance in an equitable maner within Santa Clara County.	Refer to Staff	Baker	Struve Gin	10/13/23	-	n/a	10/19/23
C-23-0253	10/12/23	10/12/23	Santos	DANIEL CAO	Email from Daniel Cao, Supervisor Otto's office, to Director Santos, dated 10/12/23, informing of a constituent voicing her concerns about not receiving help regarding a rebate program her father had	Refer to Staff	Baker	Struve Gin	10/20/23	-	n/a	10/26/23

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
					applied to before he passed away in 2021 from COVID.							

[REDACTED]

To: Jim Beall; Valley Water Elecetd Board Member for District 4- most of Almaden Valley; D10 & Cambell
Cc: Rebecca Eisenberg; Valley Water Elecetd Board Member for District 4 - some Almaden Valley; Los Gatos; Los Altos Hills & Pa[o Alto
Subject: Jim Beal Water Question for ASA 10/4/23 General Meeting - #2 Short text version

In the September, 19th Valley Water Borad Meeting on the 2050 Water Supply Master Plan, **You gave the direction that: VW must *'force'* water conservation compliance.**

Before I ask the question on your direction, relevant background information needs to be provided:

- In California agribusiness consumes 70% of the water and metropolitan areas 18%.
- Within Santa Clara County there are profound disparities in the wholesale water rates VW charges water retailers. The rate depends on the geographic location where the water is sourced within the County.
- Almaden Valley and most San Jose residents obtain their water from San Jose Water Company, a water retailer who purchases its water from VW.
- S.J. Water has the highest water meter rates in California, perhaps the nation.
- For 2031, VW's wholesale water rates for San Jose Water Co are projected to be \$3,380/AF, more than double the current 2023 rate.
- For 2031, the S.J. Water Company supplied home owner water rate is projected to be 3000X more than agribusinesses in California and 6.7X higher than VW's lowest South County projected rate.
- In the county, water usage is unrestricted for private well owners and 4,000 homes in Morgan Hill and Gilroy without water meters.
- Unlike San Jose Water Company customers during the 2021:22 drought crisis, it appears many county areas^o did not pay drought excess water usage penalty fees.
o The South Valley area, Palo Alto, Saratoga and Los Gatos.
- A Valley Water implementation of **'forced' water conservation** that ignores retailer's end customer water affordability due to the disparities in wholesale water costs plus imposed drought penalties within the county will result in San Jose Water Company's customers being driven to 'Sahara Desert' landscaping while other retailer customers remain 'Mediterranean Green'.

On whom, where and how is Valley Water going to *'force'* water conservation compliance in an equitable manner within Santa Clara County so S.J. Water Company water customers don't have an unfair supply constraint and cost burden imposed by Valley Water for 2031 and beyond?

Jim Kuhl
[REDACTED]

Michele King

From: Aram James [REDACTED]
Sent: Thursday, October 05, 2023 8:12 AM
To: Board of Directors; city.council@cityofpaloalto.org; julieforpaloalto@gmail.com; rebecca@privateclientlegal.com; hrc@cityofpaloalto.org; Ed.Shikada@cityofpaloalto.org
Subject: The largest dam removal in history stirs hopes of restoring California tribes' way of life

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. ***

The largest dam removal in history stirs hopes of restoring California tribes' way of life

<https://www.latimes.com/environment/story/2023-10-05/klamath-dam-removal-tribes>

Michele King

Subject: FW: Mr. Beall

From: Chris K [REDACTED] >
Sent: Tuesday, October 3, 2023 3:32:20 PM
To: Jim Beall <JBeall@valleywater.org>
Subject: Mr. Beall

***** 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 was recently contacted by Silicon Valley Water Company from a complaint I sent by email a couple months back about the homeless issues on Highway 87 and Willow. I know under the bridge is not your guys's issue, or your jurisdiction but along the Guadalupe River there are countless homeless people setting up camp, lighting fires, polluting the river with garbage and feces and I'm just plain sick and tired of it. My family immigrated here from Greece and I was born and raised in San Jose ever since. I'm trying to understand why you guys can't take these people out of the areas that you're in control of basically for trespassing. They're cutting these fences up to access private property. Please help me understand why the water department has no will to remedy these hazardous situations. Why can't they be arrested for trespassing, disturbing the peace and creating hazardous health situations that can and eventually WILL harm the public? The fencing on the land that's your responsibility as a company needs to be reinforced and needs to clearly be posted that anyone that trespasses will pay a fine and face jail time. I'm sure if you did this there wouldn't be so many break-ins. You're probably not the only one in charge but who is going to have the courage in the backbone to stand up for the safety of this area and the environment it's affecting? Take your time, but I expect a response.

Chris Kouretas
[REDACTED]

Michele King

From: Kelly Cure <kelly@skillful.ly>
Sent: Thursday, October 05, 2023 2:33 PM
To: Rebecca Eisenberg; Board of Directors
Subject: SVLG event follow-up - loved meeting you!

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 Rebecca!

It was wonderful meeting you at the SVLG Women in AI event last week and chatting for a moment afterward (I also connected on [LinkedIn](#)). You brought the energy levels in the room up and I loved your comment to the panel!

As a female founder in this space, I'd love to get to know you a bit more if you're up for a zoom/ coffee! Feel free to book directly [here](#) or send me your preferred times :)

Briefly, my company [Skillful.ly](#) partners with Universities and Community Colleges across the country, helping students discover career pathways, gain skill badges and become overall more prepared and aware of their career options. We serve majority women and majority first gen college students.

Cheers!

Kelly

Kelly Cure
Co-founder, Head of Growth
www.skillful.ly | [LinkedIn](#)

Sent via [Superhuman](#)

Michele King

From: Paul Tatsuta [REDACTED]
Sent: Friday, October 06, 2023 3:40 PM
To: Board of Directors
Subject: Re: Calabazas Creek Rehabilitation Project-2nd one

*** 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 Director Hsueh,

Thank you for your attention to our request for assistance. The Valley Water staff, particularly Ted Ibarra, has been very supportive during this process and I sincerely appreciate his help and kindness.

The most recent contact from Valley Water staff was a surprise and reassuring, particularly after first receiving notice that the contractor had declined to provide the requested assistance.

And thank you for following up on our concerns. We appreciate your attention to our situation.

Thank you, and best wishes,

Paul Tatsuta

On Friday, October 6, 2023 at 10:24:24 AM PDT, Board of Directors <board@valleywater.org> wrote:

Sent on Behalf of Director Hsueh:

Dear Mr. Tatsuta,

I understand Valley Water staff reached out to you and addressed your concerns regarding the excessive vibrations you experienced the night before and the early morning of 9/27/23 and assured you that the final steel pile installation work had concluded that morning. The vibrations were due to the use of the vibratory hammer technique for the installation of the piles, since the Giken Silent Piling technique could not be used due to the PG&E overhead wires.

To address your concerns long term with regards to the foundation and structural integrity of your house and your request for a structural assessment to be performed,

staff has initiated a process to have a third-party structural engineer perform a structural assessment of your property related to this project and should be in touch with you shortly to arrange next steps.

For additional questions, please contact Bhavani Yerrapotu, Deputy Operating Officer for Watersheds Design and Construction Division at byerrapotu@valleywater.org

Sincerely,



Nai Hsueh

Director, District 5

C-23-0240

Begin forwarded message:

From: Paul Tatsuta [REDACTED]
Date: September 27, 2023 at 10:44:21 AM PDT
To: Nai Hsueh <NHsueh@valleywater.org>
Subject: Re: Calabazas Creek Rehabilitation Project

*** 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 Ms. Hsueh. It sounds like their work has come to a close since the noise and pounding stopped after 90 minutes. I would appreciate any guidance you can provide with the understanding that before and after photos of the affected areas are unlikely and the cost of having a structural inspection may be out of reach for our budgets.
Sincerely,
Paul

On Sep 27, 2023, at 9:27 AM, Nai Hsueh
<NHsueh@valleywater.org> wrote:

Dear Mr. Tatsuta,

Thank you for letting me know. I'll talk to our staff who is responsible for this project, and get back to you and your neighbors soon.

Nai Hsueh

District 5 Director

Sent from my iPad

On Sep 27, 2023, at 8:29 AM, Paul
Tatsuta [REDACTED] wrote:

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Good Morning Ms. Hsueh,

I am writing to you this morning regarding the work on the Calabazas Creek that has been going on for the past several weeks.

Specifically, I am very concerned about the damage to my home and the homes of my neighbors resulting from the repeated pounding of long steel plates into the floor of the creek behind our homes. This technique causes our homes to shake and vibrate at each strike of the equipment. Bookcases and

pots & pans rattle and the walls slightly sway.

When the crews began this process several weeks ago it was disturbing but it appeared it was only a brief episode that would be replaced by a different process that involved “drilling” into the soil rather than hammering the steel plates into the ground. We were told that this technique was required because overhead power lines prevented the use of the drilling equipment in the area directly behind our homes.

Since that time the “hammering” has occurred repeatedly and most recently last night from 6pm to 7pm and again at 7:23am this morning. This installation process is exposing our homes to even harsher pounding that is shaking our homes as though we are experiencing repeated earthquakes. In speaking with one of the workers last night, it appears that different equipment is being used to conduct this pounding that is more powerful because they are trying to move more quickly due to their approaching deadline and they acknowledge that shock wave resulting from their pounding.

I would note that the homes that are adjacent to the overhead power line have been exposed to the full impact of this process. We are older residents who are retired and home most of the day and have had to contend with the thought of how much damage is this work doing to our home.

I would hope that the Water District would take steps to address our concerns.

Any assistance that you can provide would be appreciated.

Thank you.

Paul Tatsuta

[REDACTED]

[REDACTED]

[REDACTED]

OUTGOING BOARD CORRESPONDENCE

Michele King

Subject: FW: Calabazas Creek Rehabilitation Project-

From: Candice Kwok-Smith **On Behalf Of** Board of Directors

Sent: Friday, October 6, 2023 10:24 AM

To: [REDACTED]

Subject: Re: Calabazas Creek Rehabilitation Project-2nd one

Sent on Behalf of Director Hsueh:

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Sincerely,



Nai Hsueh
Director, District 5

C-23-0240

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Any assistance that you can provide
would be appreciated.

Thank you.

Paul Tatsuta

[REDACTED]
[REDACTED]
[REDACTED]